

Minutes of the meeting of the Board of Governors held on **9 July 2020**.

Present: Bob Harrison, Clive Macdonald, Yultan Mellor (Principal), Mike Bramhall, John Edwards, Colin Forrest, Liz Stanley, Neil James (up to and including min B20/58), Ken Richardson Catharyn Lawrence (up to and including min B20/58), Frank Lord and Ann Corrigan.

In attendance: The Assistant Principal – Finance and Business Services (Joy Whistlecraft), the Assistant Principal – Student Experience (Diane Lawson), the Assistant Principal – Curriculum, Quality and Market Development (Emma Beal), the Head of Human Resources (Elin Longley) and the Clerk to the Governors (Sarah Johnson).

The Head of Marketing and Partnerships (Maria Langham) – B20/25 – B20/26.

Apologies: Kate Fleming and Tim Thornton.

BOARD DEVELOPMENT SESSION

B20/57 The Board received a presentation regarding the College's marketing strategy and brand including aims, key messages and priorities. The Board:

- welcomed the work done to date and the energy demonstrated;
- encouraged the College to think about routes to market, messages to funders, enquiry management and conversion, internal brand identity, differentiated partnerships and demonstrating impact;
- looked forward to seeing how achievement against the strategy would be tracked.

B20/58 It was noted that a formal strategy document would be presented to the Board for consideration at an appropriate point.

GENERAL BUSINESS

B20/59 **DECLARATIONS OF INTEREST**

None.

B20/60 **MINUTES AND MATTERS ARISING**

The minutes of the meetings held on 12 March 2020 and 20 May 2020 were approved as an accurate record.

B20/61

B20/12	It was reported that due to the unprecedented circumstances resulting from the pandemic the remit of the proposed DfE review task and finish group (to oversee the review, provide support and challenge to ELT, explore the implications and actions required and advise the Board accordingly) had been absorbed into the work of the chairs' committee which had met regularly since March 2020.
B20/28	It was noted that no decisions had been required by chair's action under the delegation agreed at the meeting on 12 March 2020, approval had been sought on the 18 March 2020 to close the College to staff and students from 5pm on Friday 20 March, but this had been quickly superseded by an instruction to close from national government.
B20/35	It was noted that advice regarding DBS checking for governors remained outstanding and an update would be provided at the next meeting.

B20/62 **SECTOR UPDATE** (Document 2i)

The Board received a report which provided an update on sector developments and external information that could have an impact on College business and strategic planning, including:

- the corona virus pandemic;
- the DfE Review and Funding Rules 2020/21;
- devolution planning;
- a recent meeting with Miriam Caites, MP for Stockbridge and Penistone;
- partnership work with the Institutes for Adult Learning.

B20/63 The Board particularly explored:

- recent activity in relation the DfE review, risks to the College and further action required, noting that a further meeting was planned to take place on 10 July with the DfE, ESFA and residential colleges;
- support for the College from Dan Jarvis and Miriam Caites;
- opportunities arising from recent announcements regarding funding;
- the potential impact of the forthcoming FE white paper;
- partnership development with Leeds City Region.

Resolved: i That the report be noted.

B20/64 **COLLEGE REPORT** (Document 3i)

The Board considered a report which provided an overview of key items of internal strategic and operational College business, including:

- people – response to the pandemic, the outcome of staff voice sessions, progress in relation to change proposals and restructuring;
- curriculum, quality and market development - outcomes for current students, infrastructure and development of remote delivery, quality improvement and development;
- student experience – development of the student journey, development of the estates strategy, health and safety compliance, review of catering and cleaning within the College, management of the College during closure and return to campus, development of the digital library offer, review and refresh of all front facing student services, review of all learning support assessment pathways and processes;
- finance and business services – developments in MIS, IT support and finance.

B20/65 The Board particularly explored:

- changes in government guidance regarding the return of adults to colleges, supporting the College position that a September return remained appropriate for the College;
- estates matters relating to the re-opening of the campus;
- the development of online provision, the effectiveness of micro courses, quality assurance of online delivery, staff development and training;
- development of the IT infrastructure to meet future priorities and demands.

Resolved: i That the report be noted.

B20/66 **PERFORMANCE TO DATE 2019/20**(Document 3ii)

The Board considered the **Dashboard to 31 May 2020** which set out performance against a range of key performance indicators. As previously reported all items were rag rated green with the exception of:

- recruitment to teacher education HE long courses, pre-access short courses, English, maths and community short courses;
- adult skills income;
- male participation;
- co-funded learners;
- teaching and non-teaching staff absences.

B20/67 The Board particularly explored:

- the mixed and changing messages regarding protection of adult skills funding for 2019/20, noting that the College was compliant with all requirements as they had been outlined to date and was delivering provision online;
- anticipated likely student success outcomes for 2019/20;
- staff absences due to sickness, noting that there had been no negative impact on data as a result of the pandemic and closure of the campus.

B20/68 The Board considered the **Financial Report to 31 May 2020** noting that:

- the current forecast outturn was £177K surplus;
- this position would be negatively impacted by the costs of voluntary redundancy payments;
- Pay costs as % of income was on target at 60%;
- The campus closure had significantly impacted on the achievement of the on-ESFA income which was at 9.1% against a target of 15%.

B20/69 The Board considered the letter from the **ESFA** dated 29 May which confirmed that:

- following their review of the College's audited financial statements the College's financial health status for 2018/19 had been confirmed as outstanding;
- no significant financial control concerns had been identified.

Resolved: i That the report be noted.

B20/70 **STAFF VOICE REPORT 2019/20** (Document 3iii)

The Board considered the staff voice report for 2019/20 which set out the results of the staff survey for the year, feedback from staff voice sessions and conclusions and next steps, noting that:

- as in previous years the staff survey had been conducted by an external company and benchmarked against results from 12,910 staff working within 37 education providers;
- although the response rate was lower than the previous year with 49 staff completing the questionnaire, compared to 74 in 2019, this was in line with prior years and may have been impacted by the survey being conducted during campus closure;
- overall for those questions that could be compared to the previous year, the majority (74%) received a more positive or at least equal response, a change to the continual downward trend seen over the previous four years;
- improvements appear to be linked to the strategic planning, College structure developments and communications work that has taken place this year;
- three questions saw a negative response of more than 5% when compared to the previous year relating to student support, staff appraisal and the future of the College and these areas would be discussed by CLT and an action plan developed;
- responses remained ahead of benchmarks in the majority of areas, 8 areas were behind external benchmarks by at least 5% and would also be considered by CLT;
- staff voice sessions had focussed on communication methods and how they could be further developed.

B20/71 The Board:

- welcomed the positive results particularly in the current situation and the period of change that the College had been through during the year;
- valued the opportunity for triangulation the data offered for governors;
- supported the identification of areas for further development and the proposed approach to taking these forward;
- acknowledged that the current restructuring taking place would be likely to impact on staff morale in the short term;
- explored the comments relating to line management and noted the importance of developing strong middle management in the College and how this could be further supported.

Resolved: i That the report and next steps be noted.

B20/72 **FINANCIAL PLANNING 2020/21 – 2022/23** (Document 4i)

The Board considered the Financial Plan 2020/21 to 2022/23 noting that:

- following on from the exceptional meeting of the Board of Governors in May 2020 where an initial draft had been considered further work had been undertaken to meet the challenge of returning the College to a balanced budget by 2022/23;
- as previously discussed this had required a range of actions to be taken including closure of the College bar, implementation of a changed short course model, maximisation of course funding, growth in adult skills budget delivery, additional catering savings, a change of focus from project income to increased tuition fees, not including provision for an annual cost of living award, staff restructuring and voluntary redundancies, ceasing local authority contracts and repurposing of the childcare offer;
- external booking income had been adjusted down in anticipation of the continuing impact of social distancing;
- the result of these actions meant that the College was now forecasting a £124K deficit for 2020/21 (including restructuring costs), a £1K deficit for 2021/22 and a £3K surplus for 2022/23.;
- redundancy costs in 2019/20 would move the current £177K surplus to a £75K deficit.

B20/73 The Board considered the plan in detail, in particular:

- the proposal not to include provision for an annual cost of living award, the Board supported the College's proposed approach not to include an award in the financial plan but to continue to review affordability annually;
- targets around maximising course funding - testing and receiving assurance that these were achievable;
- whether the proposed savings would risk the College's ability to respond to opportunities to generate future income - agreeing that the College strategy provided assurance that this was not the case;
- the planning assumptions presented - agreeing that they were plausible and sound.

B20/74 The Board considered a supporting curriculum plan for 2020/2, noting that this assumed recruiting to normal levels in 2020/21 and this could be negatively impacted by the pandemic.**B20/75** The Board agreed that:

- the plan was an impressive piece of work which had clearly included difficult decisions;
- the approach had been systematic and carefully thought through;
- achieving the plan over the next three years would be a challenge but the College would be in the best possible place to achieve it;
- this had been a very difficult process and the agility of the College to meet the challenge in such a short timescale was excellent.

B20/76 It was reported that the College was required to submit a COVID financial forecast to the ESFA by 31 July 2020, and though this did not require sign off by the Board of Governors it would be based on the financial plan presented.

Resolved: i That the Financial Plan 2020/21 to 2022/23 be approved for submission to the ESFA.

B20/77 **RISK MANAGEMENT AND ASSURANCE – EXCEPTIONAL RISK LOG** (Document 4ii)

The Board considered the exceptional risk log which had been developed to facilitate consideration of the critical areas of risk faced during the pandemic period. The Board particularly explored:

- F3 - undertaking financial planning for 2020/21 taking into account a range of potential scenarios – agreeing that this risk had now moved on to the delivery of the plan and should be updated accordingly;
- F4 - the DfE review of residential funding – exploring whether clawback should form part of this risk area.

- B20/78** The Board noted that the key risk areas had been explored throughout the agenda.
- B20/79** The Board considered the planning being undertaken in relation to campus re-opening for students and noted that approval for a risk assessment and plan may be required during the summer.
- Resolved:** i **That F3 be updated to reflect the risks related to the delivery of the financial plan.**
- B20/80** **POLICIES FOR APPROVAL** (Document 5i)
The Board considered and approved the Admissions, Financial Support, Fees and Drug and Alcohol policies.
- B20/81** The Board considered and approved a revised policies framework.
- B20/82** The Board approved a proposal that the chair of Quality Committee be charged with approving working drafts of student policies in time for implementation for the commencement of the 2020/21 academic year, with full scrutiny subsequently taking place at the committee meeting in November 2020.
- Resolved:** i **That the Admissions, Financial Support, Fees and Drug and Alcohol policies be approved.**
- ii **That the revised policy framework be approved.**
- iii **That the chair of Quality Committee be charged with approving working drafts of student policies in time for implementation for the commencement of the 2020/21 academic year, with full scrutiny subsequently taking place at the committee meeting in November 2020.**
- B20/83** **AUDIT MATTERS** (Document 5ii)
The Board considered an evaluation of the performance of the Internal Audit Service for 2019/20 and noted that performance had been reviewed by the Audit Committee at its meeting in June 2020 and the committee had been satisfied that an appropriate quality of service had been delivered.
- B20/84** The Board noted that:
- Barnsley MBC Internal Audit Service had been appointed by the Board of Governors in July 2017 for a three-year period;
 - as 2019/20 was the final year of the initial appointment period re-appointment would now need to be considered and approved on an annual basis;
 - the Audit Committee recommended that subject to the negotiation of appropriate fees by ELT Barnsley MBC Internal Audit Services be re-appointed as the College's internal audit service provider for 2020/21
- Resolved:** i **That subject to the negotiation of appropriate fees Barnsley MBC Internal Audit Services be re-appointed as the College's internal audit service provider for 2020/21.**
- B20/85** **REPORT FROM LEAD GOVERNOR SAFEGUARDING**
The Lead Governor – Safeguarding provided a brief update reporting that:
- communication regarding Safeguarding matters had been exceptional during the last period, particularly in light of the current campus closure;
 - an update meeting with the Assistant Principal – Student Experience had been held on 29 June and this had provided further assurance that appropriate measures and controls were in place;
 - a significant amount of work had been undertaken to ensure that appropriate Safeguarding

arrangements were in place during the campus closure period.

Resolved: i That the report be noted.

B20/86 **REPORTS FROM COMMITTEES** (Document 6ii)

The Board received and noted minutes from the following meetings of its committees:

- Audit Committee – 15 June 2020
- Quality Committee – 18 June 2020
- Policy and Finance Committee – 14 May 2020
- Policy and Finance Committee – 18 June 2020
- Chairs' Committee – 22 April 2020
- Chairs' Committee – 15 May 2020
- Chairs' Committee – 19 June 2020

Resolved: i That the reports be received and noted.

B20/87 **GOVERNANCE MATTERS** (Document 6iii)

The Board noted the **resignation of Kate Fleming** with effect from 10 July 2020 and recorded its formal thanks for her work as a governor over the last 8 years, noting that the College had benefited greatly from her experience and skills.

B20/88 The Board considered and approved revised **terms of reference for the Quality Committee**, noting that changes were proposed to update and clarify its responsibilities. The Board also approved a proposal to amend the name of the committee to the Curriculum, Quality and Student Experience Committee to better reflect the breadth of its responsibilities.

B20/89 The Board considered and ratified the approval by chair's action of **terms of reference for the Chairs' Committee** to reflect its oversight role in relation to the pandemic period.

B20/90 The Board noted the **Corporate Insolvency and Governance Act 2020** which had come into force on Friday 26 June. It was noted that the act intended to provide some "flexibility and breathing space for businesses" and covered a broad range of measures from help with wrongful trading and insolvency to temporary easing of some filing obligations and general meeting requirements. The Board noted that to date the Company had met all its obligations for meetings and filing as required, and in line with the prescribed timescales.

Resolved: i That the resignation of Kate Fleming from 10 July 2020 be noted.

ii That revised terms of reference and change of name for the Quality Committee (Curriculum, Quality and Student Experience) be approved.

iii That approval by chair's action of the terms of reference for the Chairs' Committee be ratified.

iv That changes enacted by the Corporate Insolvency and Governance Act 2020 be noted.

B20/91 **STAFFING MATTERS**

The Board explored the current staffing restructure activity in detail, including:

- the changes proposed and the benefits anticipated;
- the process of consultation;
- the proposed changes in relation to repurposing of the childcare offer;
- a verbal update regarding applications for voluntary redundancy approved by the Policy and Finance Committee.

B20/92 The Board:

- noted that the restructure activity had already been planned and it was only the timescale

which had been impacted;

- agreed that all the proposals clearly aligned with the College strategy and curriculum intent;
- agreed that the proposals would further improve efficiency;
- supported the proposal to reopen applications for voluntary redundancy for a short period.

B20/93 **DATES OF THE NEXT MEETINGS**

1 October 2020 – 11.00am (development session 10.00am to 11.00am)

17 December 2020– 11.00am (development session 10.00am to 11.00am)

11 March 2021– 11.00am (development session 10.00am to 11.00am)

15 July 2021– 11.00am (development session 10.00am to 11.00am)

Signed		Date	
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