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| **MINUTES** |
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| *Corporation No 173* |
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| Date: |   | *04/07/2023 (Tuesday)* |   | Time: |   | *18:00–20:00* |
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| Venue: |   | *Bowland Suite* |   | Committee: |   | *Corporation* |
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| Present: |   | *Alison Robinson (Principal), Allan Foster (Chair), Allison Jones, Andrew Massey, Barbara Godby, Clare James, David Hall, Debbie Clayton, Jane Booker (Vice Chair), Kathryn Townsley, Matthew Chesterman, Robert Wallace, Robin Newton-Syms, Sue Collinge and William Hodges* |
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| Attending: |   | *Joanne Sherrington (Deputy Principal), John Wherry (Deputy Principal) and Steven Downham-Clarke (Vice Principal)* |
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| Clerks: |   | *Ron Matthews (Clerk)* |
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| Guests: |   | *Rosie Bryson (Co-opted Member)* |
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| ***Public* Minutes** |
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| Item number: | Item description: |
| (and category) |   |
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| **56.23** | ***Attendance of College Management*** |
| ***Decision*** |

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| As a matter of policy all meetings of the Corporation and its Committees will be held in private. The agendas and minutes and supporting papers of its public business will be made available to the general public.However:(a) The Principal shall be authorised to invite members of staff to attend in their employed capacity for both public and confidential business as appropriate and in accordance with Standing Order 25.(b) The Corporation however, may exclude members of staff from attending any business that it deems necessary. (c) Attendance by other persons shall be at the discretion of the Corporation following advice from the Principal or Clerk.**Resolved:** |

**That Management attend for the public and confidential agenda items.** |
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| **57.23** | ***Apologies for Absence*** |
| ***Record*** |

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| Apologies had been received from Robin Newton-Syms, Robert Wallace, Matthew Chesterman and John Wherry, Deputy Principal, Resources.David Hall, Rosie Bryson and Student Governor William Hodges were not in attendance.  |

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| **58.23** | ***Governor Kevin Burke*** |
| ***Decision*** |

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| The Clerk reported that on 14 June 2023 Governor Kevin Burke had notified him that he was resigning his position as Governor due to work commitments.**Resolved:** |

**That the report be noted.** |
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| **59.23** | ***Minutes of Previous Meetings*** |
| ***Decision*** | The public minutes of meeting number 170 held on Tuesday 14 March 2023, the special meeting number 171 held on Tuesday 25 April 2023 and the meeting number 172 held on 15 May 2023 and published on the extranet were agreed and signed as true and correct records of the meetings. |
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| **60.23** | ***Declarations of Interest*** |
| ***Record*** | There were no declarations of interest made in respect of items on the public agenda. |
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| **61.23** | ***Opening Remarks of the Chair*** |
| ***Decision*** |

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| The Chair reported that he had been kept informed of national developments by attending video conferences with the North West Principals and Chairs Group and also joining several meetings with the AoC. He continued to join committees to which he was not formerly appointed and that Witton and Croxteth Award evenings were an excellent showcase for the College.He also reported that visiting arrangements with the Wigan and Leigh College had proved of value.Monthly meetings with the Principal, and the other three Chairs kept them all up to date with College developments.In conclusion he stated that he had attended, together with the Principalship, the Strategic Conversation meeting with DfE, ESFA and FE Commissioners Office.**Resolved:** |

**That the report be received.** |
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| **62.23** | ***Election of Chair and Vice Chair for 2023/2024*** |
| ***Decision*** |

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| Members considered the appointment of Chair and Vice-Chair of Corporation up to 31 December 2023. The current Chair and Vice-Chair were eligible for re-election.Following due process it was: **Resolved:**1. **That Allan Foster be appointed Chair of the Corporation for the period 1 August 2023 to 31 December 2023.**
2. **That Jane Booker be appointed Vice-Chair of the Corporation for the period 1 August 2023 to 31 December 2023.**
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| **63.23** | ***College Patron*** |
| ***Decision*** |

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| The Clerk informed the Corporation that the term of office of the College Patron, Edwin Booth, would expire on 31 July 2023.Edwin had confirmed that he was willing to continue in office for a further term of office of four years. **Resolved:****That the Corporation confirm the appointment of Edwin Booth as College Patron for a further period of four years commencing on 1 August 2023.** |

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| **64.23** | ***Appointment of Student Governors 2023/2024*** |
| ***Decision*** |

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| The current HE student Matthew Chesterman, FdSc Horticulture and Applied Plant Science, had indicated that he would be returning to the College next year and wished to continue as the HE Student Governor.Arrangements were in hand to secure an FE Student Governor once the next academic year had begun.**Resolved:** |

**That Matthew Chesterman be appointed HE Student Governor for 2023/2024 and to serve on the Quality and Standards Committee.** |
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| **65.23** | ***Governor Engagement Programme*** |
| ***Decision*** |

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| Governors informed the Corporation of events they had attended since the last meeting.Sue Collinge had attended the AoC Finance and Audit Chairs meeting on 26 June 2023.Barbara Godby submitted two reports on visits to the College as Link Governor for English and Maths.**Resolved:** |

**That the reports be received.** |
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| **66.23** | ***Report of the Audit and Governance Committee of 6 June 2023*** |
| ***Decision*** |

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| The Corporation considered the report of the Audit and Governance Committee held on 6 June 2023. **Financial Statements Audit and Regularity Audit Annual Plan for the Year Ending 31 July 2023.**Consideration was given to the Audit Plan prepared by RSM, the College Financial Statements and Regularity Auditors, for audit work relating to the year ending 31 July 2023, which included their fee for 2023. Key areas of audit focus were income recognition, pension scheme liabilities, going concern and management override of controls. RSM would also provide an independent reasonable assurance report in connection with the Teachers' Pensions Contributions for the year ended 31 March 2023. A copy of the Plan was attached to the report. The Committee recommended the plan to Corporation for adoption.**Internal Audit Plan 2023/2024**The Committee considered a report from the Internal Audit representative on the proposed Internal Audit Plan for 2023/2024. The plan had been driven and agreed by management, based on the College’s risk profile and the view of priorities for coverage in the forthcoming year.The suggested Audit Plan assignments for 2023/2024 were: 1. Cyber Security      2. Key Financial Controls - Income and Debtors      3. Sub-Contracting Controls      4. Admissions and Enrolments including Marketing      5. Estates Management      6. Safeguarding        The Plan included a follow-up allocation, which would be utilised to test the degree of implementation achieved in relation to actions agreed by management in the previous academic year, and which would serve to inform the adequacy of the College’s own action tracking process. The Committee retained the opportunity to amend the Plan during the year should the need arise.A copy of the Plan was attached to the report.The Committee recommended the Plan to Corporation for adoption.**Timetable of Meetings 2023/2024**The Committee recommended a timetable for meetings in 2023/2024, which reflected the format adopted for the current year. A copy of the timetable was attached to the report.The Committee recommended the timetable to Corporation for adoption. **Committee Membership 2023/2024**The Committee recommended a Committee membership for 2023/2024 based on the current format.A copy of the Committee membership was attached to the report.The Committee recommended the membership to Corporation.**Co-opted Governor Rosie Bryson**The Clerk reported that Co-opted Governors were appointed for a one year term of office which could be renewed for a period of up to eight years, similar to full Governor appointments.Rosie Bryson's term of office was coming up for renewal and the Committee reviewed her appointment.The Committee recommended Corporation to reappoint Rosie Bryson as a Co-opted Governor for a further term of office of one year.

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| **Other matters reported for information:****RSM Emerging Issues report -** subsequently circulated to all Governors**Internal Audit Reports** reviews of Human Resources, Learner Numbers, Full Cost Recovery and AEB Courses and Subcontracting Controls**Internal Audit Progress Report** which indicated that 1 recommendation was outstanding for 2021/2022 and 1 recommendation was outstanding 2022/2023**Strategic Risk Register** - update on progress**Managing Public Money –** notification return had been sent**Data Returns Monitoring Report** - no concerns were reported**Subcontracting Report –** review of future reports**Post 16 Audit Code of Practice 2022/2023** - requirements noted**Student Governor Appointment**- Appointment on Corporation agenda**Governance Quality Improvement Plan**- no concerns noted**Committee Annual Cycle of Business** was received**Resolved:** **1. That the Financial Statements/Regularity Audit Plan for the**  **Year Ending 31 July 2023 be approved.****2. That the Internal Audit Plan 2023/2024 be approved.****3. That Co-opted Governor Rosie Bryson be appointed for a**  **further year.****4. That the Timetable of Meetings for 2023/2024 be approved.****5. That the Membership of Committees for 2023/2023 be approved.6. That**  **the items for information be noted.** |

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| **67.23** | ***Report of the Quality and Standards Committee of 20 June 2023*** |
| ***Decision*** |

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| The Corporation considered the report of the Quality and Standards Committee of 20 June 2023.Retention remained strong for FE, HE and Apprenticeships with improved attendance.Apprenticeship recruitment was performing well despite a national decline, whilst 14-16 recruitment was also buoyant. Walkthrough observations were in line to achieve target.The majority of student survey results were positive.Current FE numbers stood at 1893, below a target of 1981, although the addition of the partnership enrolments had increased this figure. The subcontracted provision allowed the College to broaden its offer and deliver to communities that the College would otherwise not be able to reach. There were 224 14-16 year old students funded by both local authorities and the ESFA.Current FE retention stood at 93.6%, below target but 0.4% up on the same period last year. The report identified the curriculum areas with the poor retention.  Overall, including authorised absences, attendance was 90.3% against a target of 95%. Presence in the classroom, also an area of focus, was 83.2%.English and Maths remained priorities. However, 95% of students attended Papers 1 & 2 for both English and Maths examinations, which should prove to be a positive step towards an improved pass rate.Governors raised a number of questions on the reports but in particular the actions identified to improve the performance in English and Maths.Apprenticeship enrolment remained positive with retention at 81.3% against a target of 95%, although this figure was better than the national average. Challenges in staff recruitment were impacting on enrolment in some areas.Latest achievement rates were above or close to target. Employer voice surveys were positive with the learner voice results showing a similar positive response. For teaching observations 93.2% met expected standards.Governors noted the strong performance of the apprenticeship provision, which appeared to be out performing national trends.Following a challenge the ESFA had now reviewed their clawback requirements to £2,296 from an original figure of £236K.Finances remained strong with year-end forecast expected to be well above budget.The strategic plan update confirmed that HE numbers were down on budget predictions and this was confirmed by a continued reduction in HE applications nationally.However, retention was 98.1% against a target of 97%, with overall levels of attendance at 86.9%.UCAS applications for next year remained a challenge. There was considerable work being undertaken regarding recruitment including progression from FE courses.The report detailed the current situation on progress with UCLan on the course review submissions. UCLan remained pleased with the Myerscough provision.Governors raised several questions on the report but in particular the actions being taken to ensure an increase in HE numbers.  It was recognised that the reduction in HE numbers was reflected nationally. They also complimented officers on the retention and attendance figures.The Committee also considered a report on the continued requirements from the Office for Students. The College Access and Participation Plan 2022/2023 had been accepted by the Office for Students.The report detailed the current OfS consultations, their Strategy for 2022-2025 and Regularity requirements.It was confirmed that the College had and would continue to meet all the regularity requirements and deadlines.

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| The Committee noted the reports.**Quality and Standards Report**The Committee considered the report on Quality Performance and Standards. The report identified recent academic recruitment and training provision supported by the Education and Training Foundation.The SAR process identified some poorly performing provision in 2021/2022, particularly in Animal, Equine and Horticulture, a focus for additional support.English and Maths remained key priorities.  The report highlighted that Ofsted training had been undertaken with all staff in the light of a possible inspection in the near future. With a new Principal due to take up the position it was unlikely that Ofsted would visit before November 2023 but the College needed to be prepared from the beginning of the academic year.Teacher and Learning Coaches continued to support all recently appointed teachers whilst maintaining support of existing and experienced teaching staff. There were currently 13 trainee teachers supported by ESFA funding.Lesson observations, undertaken with a member of the Senior Leadership Team, was 77.4% completed, with 96.4% meeting expected standards.A Teaching and Learning Fair was held in the College in February 2023, which concentrated on identified areas for improvement.The Committee noted the report.**Quality Improvement Plan 2022/2023** The Committee considered progress on the Quality Improvement Plan 2022/2023. English and Maths remained high priorities.The Committee noted the report.**Learner Voice Report**The report featured details of the Course Representative meetings, National Students survey, Short Course survey and the on-going awards processes.The report also listed a number of ''You said, We Did'' results.End of year survey results were currently being complied.The Committee noted the report.

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| **Equality, Diversity and Inclusion (FREDIE) Action Plan** The Committee considered the FREDIE, (Fairness, Respect, Equality, Diversity, Inclusion and Engagement) Action Plan for 2022/2023.The Plan detailed all activities and improvements for the year.Positive progress had been made with the only areas outstanding being the implementation of the 10-point action plan of the Black Further Education Leadership Group and the mapping of the FREDIE self-assessment plan to the sustainability strategy.The Committee received the report.**Safeguarding Update**The Committee considered an update report on the Child Protection and Safeguarding and Action Plan.There continued to be a significant increase in safeguarding concerns this year with the College seeing a year-on-year increase in alerts. The reasons and concerns were widespread, with a continued increase in mental health issues.The structure of the safeguarding team had been reviewed to ensure the caseload was suitably managed.The report also covered safer recruitment, safeguarding audit, sexual harassment and sexual violence, campus security and online safety.Governors echoed the comments made at previous meetings, which expressed concerns at the large increase in the number of safeguarding alerts, the ability of staff to respond and the well-being of the staff concerned.The Committee received the report. **Subcontracting Provision**The Committee considered the report of the Assistant Principal, Partnerships, on the current subcontracting provision.Walkthroughs had been completed with subcontractor staff teaching Myerscough College learners; some good sessions were observed with only a few action points to support continuous improvement identified. Visiting the classrooms (physically and virtually) had also provided opportunities to discuss the learning programme with students and positive feedback had been received.Overall, retention continued to be positive at 96.1% with 100% for Apprenticeships. This demonstrated that the support provided by the subcontractors in meeting the needs of a diverse group of learners from very challenging backgrounds remained effective.The report included a summary of all subcontractors, student numbers and financial costs, including the sums paid to subcontractors and those retained by the College.The Committee received the report.

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| **Curriculum Risk Register** The Committee considered the Curriculum Risk Register noting the key ''inherent risks'' and the actions taken to reduce them. Assurance statements were provided against the resulting ''residual risks''. Whilst Covid was a reducing risk, cyber security remained a major factor throughout the risk register. The Vice Principal pointed out that two of the top five risks now related to the provision of the curriculum. The Committee received the report.**Annual Cycle of Business 2023/2024** The Clerk submitted a draft Cycle of Business for 2023/2024. The Committee agreed the report.**Resolved:****That the report be received.** |

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| **68.23** | ***Report of the Finance & Resources Committee of 27 June 2023*** |
| ***Decision*** | The Chair, Sue Collinge, reported on the meeting of the Finance and Resources Committee held on 27 June 2023.**MATTER FOR THE INFORMATION OF THE CORPORATION****i) The Principals Strategic Plan Progress Report 2022/2023;     Financial Position Statement for Period Ended 31 December 2022.**The Committee received all of the above regular reports on the various aspects of the College finances for the period ended 30 April 2023. The key performance indicators related to income, the Capital Plan, Human Resources Statistics and Financial Performance were reviewed. The report was based on the Strategic Goals of People and Sustainability. The targets under People included student satisfaction and in general these expressed good/strong responses. Digital Learning was the only area below target for student satisfaction. Staff CPD was below a target of 95% at 35% although it was thought the target was set too high. There were arrangements in place for further CPD opportunities in the coming days. The remaining financial indicators were on target apart from overall HE numbers. Recruitment to FE was above target although this included an increase in projected subcontracting students. The Capital Plan was anticipated to be delivered within target. The finance report included a statement of comprehensive income together with a detailed analysis. The statements showed the actual results for the period up to 30 April 2023, together with the outturn for 2021/2022, the budget for 2022/2023 (revised December 2022), which was approved by the Board in July 2022 and the Forecast for 2022-23. The Balance Sheet as at the period end was also included, together with details of Cash Flow for the year to 30 April 2023 and forecast Cash Flow to July 2023. Overall, College income was £26.643m against a budget of £26.669m, a variation of -26k. Surplus income of £75k was £17k behind budget and £62k ahead of forecast. EBITDA to income of £3,125k was £147k behind budget but remained healthy. The actual payroll to income ratio was 56.2% against a forecast of 55.8% and an original target of 58.31%. Cash balances at the period-end remained strong at £15.327m compared to a forecast of £14.416m, with cash days standing at 158 days.Ventures departmental accounts showed that the overall margin, excluding the farm, was £1.008k against a forecast of £893k, £115k ahead and in a promising position given the challenging circumstances. Including the farm, the margin was £962k against a forecast of £846k, a variance of £116k. The overall margin excluding the farm result was 32% against a target of 26% and 22% with the farm. The report included the full details of capital expenditure. This was currently £2.965m against a revised budget of £5.581m, which included the additional funding from the ESFA. The comparison to the FE Commissioner's Financial Benchmarks remained positive with the Financial Health Forecast Grade reflected as Good. The Committee asked various question on the reports and sought clarification in some areas. They also complimented officers on the saving achieved in the current financial year following which they received the reports.**ii) FE Bursary Fund Policy, Procedure and Allocation 2022/2023** The Committee gave consideration to the review of the HE Bursary Fund Policy and Procedure for 2023/2024. Only minor amendments had been made from the previous year. The Committee also considered the reports on the bursary fund awards for 2023/2024. The Committee noted that the Bursary Fund Policy and Procedure remained fit for purpose and agreed the proposed allocations for 2023/2024.**iii) Strategic Risk Register** The Committee considered the Strategic Risk Report for 2022/2023 as presented by the Deputy Principal, Finance and Corporate Services. Included in the report was a reference to the risk appetite statement, risk assessment framework and risk heat map. The report now identified the top five risks for the College.The Committee noted the report.**iv) Human Resources for the Period Ending 30 April 2023** The Committee considered the Human Resources Report, which contained an analysis of staff turnover, breakdown analysis of leavers, a staff stability index and staff sickness statistics for the year up to 30 April 2023. The Committee noted that staff turnover was currently at 18.33% (14.52% 2022) slightly above national benchmarks.The average number of working days lost due to sickness at the College was 5.26 days and lost time percentage was 2.02%. During the same period last year, the average number of working days lost due to sickness at the College was 6.46 and the lost time percentage was 2.48%. Currently long term sickness stood at 8 employees compared to 6 at the same time last year. There had been 133 additional vacancies this quarter, a reduction of 13 from the last quarter. There were a total of 44 new employee relations cases during this period with 30 still on-going from the previous period. The service was also assisting with the academic management restructure.The Committee received the report.**v) Health and Safety Report for the Period Ended 30 April 2023**Members gave consideration to the Health and Safety Report for the period ended 30 April 2023, which provided an analysis of accident statistics over the period, together with other Health and Safety activities including policy updates, staff training, free health checks, auditing and inspections. Analysis indicated a fall in the number of accidents reported during the last quarter. Overall, accidents had decreased from 120 to 96 when compared with the same period last year. However, near misses had increased from 7 to 18. There were 2 RIDDOR reportable accidents during the period making a total of 5 for the year and, at 1.9%, was better than the target of less than 2.75%. Analysis indicated that the 96 accidents involved 10 staff, 83 students and 3 visitors 14 (15%) were taken to hospital - 13 Students, 1 Apprentice and 1 Staff 55 (57%) received first aid treatment 27 (28%) needed no treatment The Committee received the report.**Resolved:****That the report be received.** |
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| **69.23** | ***ESFA Audit July 2021*** |
| ***Decision*** | The Deputy Principal, Finance and Corporate Services reported that in 2021 the ESFA informed the College that it had been selected for a Funding Assurance review of funding claim for 2020/2021.The main focus of the review was around the apprenticeship provision.The initial outcome of the audit was that the ESFA intended to reclaim £241,034. However, the Deputy Principal challenged this figure on the basis that the funding guidance was unclear.Following a review by RSM the agreed figure was reduced to £2,296.67.It was noted that original amount had been reflected in the accounts for 31 July 2021 and would now be released back into the accounts.**Resolved:****That the report be received and that the officers be congratulated on the challenge.** |
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| **70.23** | ***Strategic Risk Register*** |
| ***Decision*** | The Corporation considered the Strategic & Governance Risk Report for 2022/2023 as presented by the Deputy Principal, Finance and Corporate Services. Included in the report was a reference to the risk appetite statement, risk assessment framework and risk heat map. The Deputy Principal had reviewed the Register and re-ordered it to match the Strategic Goals of the College. The top five risks now included two relating to the curriculum. Whilst the Covid risk had reduced, cyber security remained a major risk. Safeguarding had recently been added to the risks.**Resolved:** **That the report be received.** |
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| **71.23** | ***Independence of the Clerk*** |
| ***Decision*** | The Clerk to the Corporation must provide independent unbiased and impartial advice to the Corporation at all times and must be able to demonstrate his/her independence. Adherence to the policy ‘Independence of the Clerk’ had enabled the Clerk to demonstrate his independence. Corporation Members agreed that the current policy remained fit for purpose. **Resolved:****That the Independence of the Clerk Policy be agreed.** |
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| **72.23** | ***Annual Cycle of Business 2023/2024*** |
| ***Decision*** | The Corporation considered a report on the Annual Cycle of Business for 2023/2024. **Resolved:** **That the Annual Cycle of Business for 2023/2024 be agreed.** |
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