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| **MINUTES** |
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| *Corporation No 164* |
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| Date: |   | *22/03/2022 (Tuesday)* |   | Time: |   | *18:00–20:00* |
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| Venue: |   | *Bowland Suite* |   | Committee: |   | *Corporation* |
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| Notes: |   | *Governors are invited to eat in the College Restaurant prior to the meeting and a voucher will be issued with the agenda notification.* |
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| Present: |   | *Alison Robinson (Principal), Allan Foster (Chair), Allison Jones, Barbara Godby, Bert Medhurst, Bryony-Grace Clark, Clare James, Debbie Clayton, Jane Booker (Vice Chair), Kevin Burke, Louise Bell, Rafik Adam, Robert Wallace, Robin Newton-Syms and Sue Collinge* |
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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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| Apologies: |   | *David Hall* |
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| ***Public* Minutes** |
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| Item number: | Item description: |
| (and category) |   |
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| **08.22** | ***Attendance of College Management*** |
| ***Decision*** | Standing Order 13 states that: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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| **09.22** | ***Apologies for Absence*** |
| ***Decision*** | Apologies for absence had been received from Kevin Burke and David Hall. Bryony Clark was not in attendance. |
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| **10.22** | ***Minutes of Previous Meetings*** |
| ***Decision*** | The public minutes of meeting number 162 held on Tuesday 14 December 2021 and meeting number 163 held on 4 March 2022, published on the extranet, were agreed and signed as true and correct records of the meetings. |
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| **11.22** | ***Declarations of Interest*** |
| ***Record*** | There were no declarations of interest made in respect of items on the public agenda. |
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| **12.22** | ***Opening Remarks of the Chair*** |
| ***Decision*** | The Chair informed the Corporation that he continued to join the AoC webinars to ensure he was kept up to date on recent developments. Concern at present centred on cost pressures and pay negotiations plus the review of the Office for Students operational procedures.He continued to meet monthly with the Principal together with the other three Committee Chairs. The Chair also reported that he had attended a meeting with the Landex Review team, together with the Chair of the Quality and Standards Committee.Finally, as part of the Pilot Ofsted Inspection, he had met the Lead Inspector, together with the other three Chairs and the Clerk.**Resolved:****That the report be noted.** |
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| **13.22** | ***Governor Vacancy*** |
| ***Decision*** | The Chair reported that three potential candidates had submitted applications and two had been selected for interview. However, due to various reasons the interviews had been delayed.**Resolved:****That the report be noted.** |
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| **14.22** | ***Governor David Hall*** |
| ***Decision*** | The Clerk reported that the term of office of Governor David Hall would end on 31 March 2022. David was eligible for re-election for a further term of office, and he had indicated that he would like to serve a second term.**Resolved:****That Governor David Hall be appointed to serve a second term of office with effect from 1 April 2022.** |
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| **15.22** | ***Appointment of Support Staff Governor*** |
| ***Decision*** | The Clerk reported that the Support Staff Governor Debbie Clayton's term of office would end on 31 March 2022.Whilst Debbie was happy to continue for a second term of office, in accordance with the Instrument and Articles of Government, the Clerk was required to advertise the vacancy. However, no one other than Debbie applied for the role. Therefore, it was not necessary to hold an election amongst the support staff.The Corporation was requested to consider the appointment of Debbie Clayton for a second term of office of four years as the support staff representative on the Governing Body.**Resolved:****That Debbie Clayton be appointed as the Support Staff Governor for a second term of office with effect from 1 April 2022.** |
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| **16.22** | ***Correspondence*** |
| ***Decision*** | The Corporation considered a letter from Kirsty Evans at the Department for Education on changes in responsibilities between the Department and the ESFA.**Resolved:****That the letter be noted.** |
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| **17.22** | ***Student Engagement Report.*** |
| ***Decision*** | The Corporation considered a report on student engagement.The report outlined that student feedback on all areas of engagement and enrichment was central to their development.The report detailed issues, which had emerged from the various course representative meetings together with details of the various enrichment activities taking place.**Resolved:****That the report be received.** |
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| **18.22** | ***Governor Engagement Programme*** |
| ***Decision*** | The Clerk reminded Governors of the possible events that Governors may attend as part of the Governor Engagement Programme. The current list of opportunities had been circulated previously to all Governors and was circulated again with the agenda.Governors informed the Corporation of any events they had attended since the last meeting.A Governor thanked officers for the recent tour of the Preston Campus and requested that a similar visit to the Liverpool, Warrington and Blackburn campus be arranged. Officers agreed to explore this request.**Resolved:****That the report be received.** |
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| **19.22** | ***Report of the Audit and Governance Committee of 1 February 2021*** |
| ***Decision*** | Corporation considered the report of the Audit & Governance Committee of 1 February 2022. ****i) Internal Audit Reports**** The Internal Auditor, Jane Butterfield, presented two reports on assurance reviews.The first report was an Assurance Review of Strategic Control, which related in the main to Governance. Overall, there were one important, two routine and one operational recommendations made.The important recommendation was that 'a standard front sheet for each paper presented to Committee and Corporation be prepared by the reporting officer'.Those presenting reports to Governors had been duly informed.The first routine recommendation was that 'Eligibility Declaration Forms be signed retrospectively by Governors to replace those lost during the cyber-attack'.The Clerk was currently implementing this recommendation with Governors.The second routine recommendation was that 'Copies of the minutes of Committee meetings be circulated to members of the Corporation, in accordance with the Terms of Reference for all Committees, or include each meeting on the Corporation meeting agenda stating that the minutes are available on the portal'.This recommendation was scheduled to be discussed with all Governors at the Away Event.The operational recommendation was that 'Consideration be given to formally documenting the recruitment and succession policy for new Governors'. The Clerk accepted this recommendation which would be implemented in the near future.The second report was on Key Financial Control of Payroll. No recommendations were made.**ii**)**Internal Audit Progress Report and Summary Report Update.**   The Committee received and noted the above report, which contained information detailing progress to date on all recommendations made. In 2017/18 a total of 21 recommendations were made of which 19 (89%) had been implemented, 2 (10%) no longer applicable with none outstanding.In 2020/21 a total of 20 recommendations were made of which 14 (70%) had been implemented, 5 (25%) were partially completed with none outstanding.In 2021/22 only 1 recommendation had been made to date, which had been partially completed.Governors were pleased to note that the outstanding recommendation from 2017/2018, relating to HR Data, had now been completed.**iii)          Guidance on the Operation of the Audit Committee**The Clerk circulated the document 'Guidance on the Operation of the Audit Committee', which had been issued by the Education and Skills Funding Agency.The Clerk and the Deputy Principal, Finance and Corporate Services, confirmed that there were no issues within the document that were not currently being met.**iv)          Subcontracting Arrangements 2021/2022**The Audit and Governance Committee considered the report on subcontracting arrangements for 2021/2022.The report detailed the present levels of committed subcontractor delivery for 2021/2022, as required by the ESFA, in particular with regard to any sub-contracted delivery in excess of £100,000 funded provision. Current provision funding value was £1,163,323 and covered 230 students.The College engages partners to undertake education delivery through sub-contract arrangements to broaden access and participation. The selection of partners for College contracts was given careful consideration in order to ensure Myerscough standards were maintained, including learners’ achievement rates. The overall budget for sub-contracted delivery for 2021/2022 was approved by the Corporation in July 2021. No 2021/2022 contract arrangement for the Adult Education Budget had been entered into and there was no intention to do so.The Committee noted the report.**v)           Strategic Risk Register**Audit and Governance Committee considered the Strategic and Governance Risk Report for 2021/2022 as presented by the Deputy Principal, Finance and Corporate Services.The Committee received the report.**vi)        Data Returns Reports**The Committee considered the report of the Director of Finance on the above, which indicated that all returns for 2020/2021 & 2021/2022 had been submitted on time.    The Committee received the reports.    **vi)       Instrument and Articles of Government** The Clerk reported that copies of the Instrument and Articles of Government had been lost in the Cyber Attack in 2020. He had now managed to retrieve and update the Instrument and Articles of Government, which were attached for consideration.There were no significant changes to the document.The Committee noted the revised document.**vi)         Governance Quality Improvement Plan 2021/2022** The Committee considered progress on the Governance Improvement Plan for 2021/2022. It was noted that for the majority of topics progress was scheduled for later in the current academic year.A number of the issues would be dealt with at the Away Event.The Committee noted the report.**x)  Governor Away Event 4 March 2022** The date of the Governor Away Event for 2022 had been confirmed as Friday 4 March 2022. Subject to lockdown arrangements the event would be held at the Bowland Suite.The Clerk submitted a draft programme for the day. Whilst it was accepted that topics on the agenda were necessary, opportunities for Governors to engage and talk would be encouraged. The Committee agreed the draft programme.**Resolved:That the report be received.** |
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| **20.22** | ***Report of the Quality and Standards Committee of 8 February 2022*** |
| ***Decision*** | Corporation considered the report of the Quality and Standards Committee of 8 February 2022.**A) MATTERS FOR THE INFORMATION OF THE CORPORATION.****Correspondence**The Committee considered two letters of correspondence received since the last meeting.The first was a letter from the Department for Education regarding T Levels and Reform of Level 3 Qualifications together with a short Power Point presentation. Jackie Hough, the College lead on T Level development, gave a short introduction on progress and responded to questions from Governors. The Chair thanked Jackie for her update on the introduction of T Levels. The second was from Michelle Donelan, MP, Minister of State for Higher and Further Education, regarding Access and Participation and Examination Arrangements. The Assistant Principal, Higher Education, explained that all current requirements for Access and Participation were being complied with. The Committee noted the correspondence and thanked the Officers for their informative   contributions.**Performance Data 2021/2022** Performance data for 2021/2022 was reported to the meeting. The Committee had reviewed performance data as follows: **a)            Strategic Plan Progress Report 2021/2022****b)            In Year Performance Data 2021/2022:****-    FE****-    HE** **-    Apprenticeship and Skills.** Quality & Standards Committee considered the Strategic Plan Progress report 2021/2022. Recruitment to FE was above target. Recruitment to Apprenticeships at this mid-point period indicated targets would be challenging. Overall, numbers on Higher Education programmes were below target.   Standards of teaching on FE and HE were meeting and exceeding expectations with walkthrough observations now at 52.6%. Student responses to the induction survey averaged over 95%, although some responses were slightly below target.  Retention and attendance figures were high for both Further Education and Higher Education.  In Further Education recruitment was above target. Attendance, retention and punctuality, precursors of success, were strong with monitoring in all areas ensuring that pockets of concern were identified and addressed. Overall attendance was 91.3%, against a College target of 95% (including authorised absences). Punctuality was excellent across all centres at 99%.Retention for all FE programmes (16 to 18 and 19 plus) was excellent at 97.6% against the College retention target of 95%. Continued high retention would be a feature of performance.The HE In-Year performance paper reported high levels of HE student retention 99.1% against a target of 97% and attendance 87.9% against a target of 90%. The key priority was to ensure continued high levels of retention for students across both full and part time courses for the remainder of the year.HE applications for September 2022 were below previous years and was indicative of the current climate of uncertainty that remains among students progressing into higher education. Emphasis remained on increasing recruitment. The College, in partnership with Teeside University, had submitted a bid to the OfS for a project on the delivery of online learning. The Committee also considered a report on the continued requirements from the Office for Students. The report detailed current OfS consultations, their Strategy for 2022-2025 and Regularity requirements. It was confirmed that the College had continued to meet all the requirements and deadlines of the Office for Students. For Apprenticeship and Skills enrolment remained positive with currently 390 starts against an estimate of 509. Retention was 88.4% against a target of 78% and attendance at 97%. Employer voice remained strong with 86% satisfaction. The College had been shortlisted as national finalist: ‘Apprenticeship Provider of the Year’ AAC2022. It was also shortlisted as national finalist: ‘Agriculture, Environmental & Animal Care Apprenticeship provider of the Year’ AAC2022.  The Turf Business 2020 ‘Turf’s Top Influencer’ – Myerscough College came 3rd in a prestigious line up of the best in the turf industry. This award process recognises the industry’s most influential people and organisations. This is an improvement on the 4th position attained last year. Finance was ahead of the same point last year.The Committee, after questions, accepted all the reports.**Quality Performance and Standards Report**The Quality and Standards 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 2020/2021, particularly in Functional Skills. This department has been issued with a Notice to Improve (NTI), which will be monitored by the Assistant Principal for FE and the Director of Quality and Performance. The English and Maths Team was being supported by Nelson and Colne College.  The College needed to thoroughly prepare for an Ofsted pilot inspection to be held between 15-18 March 2022. An action plan will be implemented and deep dives put in place to ensure the College is ready for the inspection.  The report highlighted those actions taken to date or in progress and those planned for the future.An appendix to the report indicated the outcomes of lesson observations undertaken to date.The Committee noted the report.**Quality Improvement Plan 2021/2022**The Committee considered progress on the Quality Improvement Plan 2021/2022.  English and Maths remained high priorities.The Committee noted the report.**STEM Assurance Validation**The Committee received a STEM Assurance Validation Report together with a copy of the Certificate which showed that the College had met the STEM Assurance standard for industry-relevant STEM education and training. The report listed the highlights and context of their visit, which contained 19 commendations and 11 recommendations and suggestions.   Jackie Hough had taken the lead on the validation process and responded to Governors questions.   The Committee welcomed the Stem Assurance Validation and thanked Jackie Hough for her work in achieving this award.**Learner Voice**The Committee considered the report on Learner Voice, which focused on the Student Induction Surveys. Results remained strong with 98% of FE, 98% of HE and 96% of Apprenticeships & Skills students indicating that they felt welcomed during their first week in College.  Response rates for FE stood at 90%, with HE and the 14-16 age group at 84%, with Foundation Learning at 100%. It was clear that opportunities to seek a better response rate from FE students than the previous year had worked. Other results indicated that 98% of HE learners and 97% of FE learners said that they felt safe whilst on campus as did the 14-16 age group whilst 100% of Foundation Learners felt safe at College. The Committee noted the report. **Safeguarding Update**The Committee considered an update report on Child Protection and Safeguarding and the Action Plan. There continued to be a significant increase in safeguarding concerns this year, over double for the same period last year. The College was seeing a year on year increase in alerts. The reasons and concerns are widespread, with the majority concerning 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.**Equality, Diversity and Inclusion (FREDIE) Action Plan**The Committee considered the FREDIE, (Fairness, Respect, Equality, Diversity, Inclusion and Engagement) Action Plan for 2021/2022.The Plan detailed all activities and improvements for 2021/2022.The Committee noted the report.**Curriculum Risk Register**The Committee considered the Curriculum Risk Register noting the key ''inherent risks'' and the actions taken to reduce them.  Against the resulting ''residual risks'', assurance statements were provided.  Covid, together with cyber security, now appeared as major factors throughout the risk register.The Committee received the report.**LANDEX Peer Review**The Landex Peer Review took place on 25 and 26 January 2022. Officers were able to report verbally on the feedback given at the end of the review but would await the final report, which would be included on the agenda for the next meeting. The Chair of Corporation and the Chair of the Committee were also present at the feedback meeting and added their comments. The Committee noted the report.**Resolved:That the report be received.** |
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| **21.22** | ***Report of the Finance & Resources Committee of 1 March 2022*** |
| ***Decision*** | The Corporation considered the report of the Finance and Resources Committee of 1 March 2022.**A) MATTERS REQUIRING THE APPROVAL OF THE CORPORATION**  i**)          Financial Regulations Annual Review**The Committee considered the report of the Deputy Principal, Finance and Corporate Services, on a review of the Financial Regulations.The Financial Regulations required reviewing on an annual basis and the changes to the previous version of the document had been highlighted. These included a provision for expenditure over £50,000 to be authorised without prior approval of the Finance and Resources Committee if it was for capital expenditure and specifically included in the approved budget.A further proposal was to increase the limit of investment with a single approved bank from £3,500,000 to £5,000,000.A copy of the report considered by the Finance and Resources Committee is attached for the consideration of the Corporation.Due to the level of amendments to the document it was  **Recommended:**  **That the Corporation be recommended to adopt the revised Financial Regulations with effect from 1 April 2022.****B) MATTERS FOR THE INFORMATION OF THE CORPORATION** **i)    The Principal's Strategic Plan Progress Report 2021/2022;       Financial Position Statement for Period Ended 31 October 2021.**The Committee received the above regular reports on the various aspects of the College finances for the period ended 31 January 2022.   Although efforts were being made to improve performance, adult classroom based and full cost recovery provision would prove a challenge to meet targets. HE numbers were down, which impacted on the overall budget, although they were now meeting the revised control budget.  The remaining financial indicators (surplus, cash days, cash balance, EBITTDA, borrowings as a % of income) were on or above target.Recruitment to FE was above target. Overall College income was £16.752m against a budget of £17.129m, a difference of -2%.Surplus income of £1,468k was £178k behind budget. The reduction in income had been offset by cost savings on pay.  EBITDA income was down against the control budget by £278k.  The actual payroll to income ratio was 57.2% compared to the control budget target 56.9%. Cash balances at the period-end were £11.484m with cash days at 127 days. The current gross margin was £864k, £210k behind control budget and forecast.The current loss for the farm was £87k against a control budget loss of £84k.The Committee also received an updated Farm Monitoring report.The Financial Health Grade remained outstanding.The report included full details of capital expenditure which was currently £1.041m against a revised budget of £3.197m. This included the additional funding of £479k from the ESFA for the Skills Accelerator projects.The Deputy Principal also updated the Committee on the ESFA audit of funding for 2020/2021. The audit was continuing and the original 366 outstanding queries had now been reduced to 18.The ESFA had adopted a zero tolerance approach for the audit but the Deputy Principal did not envisage that the potential risk would have a great impact on the College.The Committee received the reports.  **iii)         HE Policy and Procedure, Bursary Policy and Tuition Fees 2022/2023**The Committee considered the proposed Higher Education Policy and Procedure, Bursary Policy and Tuition Fees for 2022/2023. To ensure compliance Myerscough was required to work with UCLan to agree the fee structure for new entrants in 2022/2023 as part of the Access Agreement and also in line with the requirements of the Office for Students.The review of the Bursary Policy and student support package remained similar to last year.The College's current recommendations were based on the existing fee cap of £9,250 for full time students.The report included a summary of the fees including part time and international students.The Committee agreed the policies and fees for 2022/2023.**iv)        Statutory Risk Register**The Committee considered the Strategic Risk Report for 2021/2022 as presented by the Deputy Principal, Finance and Corporate Services.Included were references to the risk appetite statement, risk assessment framework and risk heat map.The report identified the top five risks for the College. Covid and Cyber Security remained two of the main risks identified. **v)         Human Resources Report for the Period Ending 31 January 2022**The Committee considered the above report, which contained analysis of staff turnover, breakdown analysis of leavers, staff stability index and staff sickness statistics for the year up to 31 January 2022.The Committee noted staff turnover – the percentage of workers who leave – was 14.2% for all staff, 2.4% for management staff, 11.6% for teaching staff and 16.4% for support staff. Current staff turnover was in line with the national average for colleges which was 14.8%. For the North West the average staff turnover was lower at 12.8%.During the last quarter the College supported 131 vacancies.The average number of working days lost due to sickness at the College was 4.86 and the lost time percentage was 1.87%. For the same period last year, the average number of working days lost due to sickness at the College was 5.07 and the lost time percentage was 1.95%.There were 7 staff long term absent, at the end of the reporting period compared with 5 staff over the same reporting period for the previous year. The College was required to publish a report on the Gender Pay Gap covering the period 1.4.2020 – 31.03.2021 by the end of March 2022. A Copy of the Gender Pay Gap report - March 2022 is attached to this item for the information of the Corporation.The College median pay gap (middle) had improved by 3.3% (22.92% median pay gap). The mean pay gap (average) had improved by 3.4% (11.68% mean pay gap). **vi)        Health and Safety Report**Members considered the Health and Safety Report for the period ended 31 January 2022, 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. Overall accidents had increased from 47 to 100 as compared with the same period last year, a consequence of the Covid pandemic, which resulted in a reduced number of staff and students being on campus. However, this number was lower than over the same period in 2019 when there were 103 accidents. There was one RIDDOR reportable accident during the period making a total of 2 for the year and below target.Analysis indicated that of the 100 accidents involved 9 staff and 91 students –15 (15%) were taken to hospital - 13 students, 2 staff55 (55%) received first aid treatment30 (30%) needed no treatmentThere were no areas of significant concern.The Committee received the report. **Resolved:1.   That the revised Financial Regulations be approved with effect from 1 April 2022.2.   That the remaining items be noted.** |
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| **22.22** | ***Key Strategic Risks*** |
| ***Decision*** |

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| The Corporation considered the Strategic Risk Report for 2020/2021 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 revised Strategic Goals of the College.In addition, at the request of the Audit and Governance Committee, the top five key risks had now been identified. **Resolved:That the report be received** |
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| **23.22** | ***Format of Future Governor Meetings*** |
| ***Decision*** | In light of the experience of holding meetings remotely during the pandemic the Corporation considered the format of future meetings for 2022.**Resolved:That Corporation and Training Sessions continue to be held in person but that the various Committees be permitted to decide individually as to whether to meet remotely or in person.** |
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