

MINUTES

Corporation No 134

Date: *11/07/2017*
(Tuesday)

Time: *18:00–20:00*

Venue: *Bowland Suite*

Committee: *Corporation*

Notes: *Refreshments will be available from 5.30pm.*

Present: *Adrian Boreham, Allan Foster (Vice Chairman), Ann Turner (Principal), Garry Payne, Gerry Corless, Ian Higginbotham, Jane Booker, Julie Hughes and Stuart Heys (Chairman)*

Attending: *Alison Robinson (Vice Principal) and John Wherry (Deputy Principal)*

Clerks: *Ron Matthews (Clerk)*

Apologies: *Clare Platt, David Hall, Grace Power, Ian Douglass, Ishwer Tailor (Co-opted Member), Rebecca Fitzsimmons, Richard Furnival, Richard Hughes, Sarah Burdaky and Susan Whiteside (Deputy Clerk)*

Public Minutes

Item
number:
(and
category)

Item description:

Queries:

61.17
Decision

Attendance of Co-opted Members of Committees and Members of Management

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 may however, exclude staff from attending any business it deems necessary.

(c) Attendance by other persons shall be at the discretion of the Corporation following advice from the Principal or Clerk.

However, the Corporation does encourage Co-opted Governors to attend and take part in the discussions and debate although not having a vote.

Resolved:

That Co-opted Members of Committees and members of Management be welcomed for the public and confidential business on the agenda.

62.17
Record

Apologies for Absence

Apologies have been received from Clare Platt, David Hall, Grace Power, Ian Douglass, Ishwer Tailor (Co-opted Member), Rebecca Fitzsimmons, Richard Furnival, Richard Hughes, Sarah Burdaky and Susan Whiteside (Deputy Clerk).

63.17 **Public Minutes of Previous Meeting**

Decision

The Public minutes of meeting number 132 held on Friday 28 April 2017 and 133 held on Tuesday 4 July 2017 (published on the extranet) were signed and agreed as true and accurate records.

64.17 **Declarations of Interest**

Record

There were no declarations of interest received in respect of items on the public agenda.

65.17 **Chair**

Information

The Chair addressed the Corporation and provided an update on his recent activities on behalf of the College.

66.17 **Student Voice**

Information

Corporation gave consideration to the Annual Report from the Myerscough Students Union (MSU).

The report provided an overview of the activities and events arranged with and for the student population, which included a rag week, and social, sporting, community and fundraising events.

The annual Freshers Fair had been developed to a much larger scale than previously, with good feedback received. The event for September 2017 was mostly arranged with a wide variety of stallholders having confirmed attendance.

The chosen charity for the year was the People's Dispensary for sick animals (PDSA).

The report gave an analysis of how events had been received and how to develop them further.

Resolved:

That the Annual Report from the Myerscough Students Union be received.

67.17 **Governors Involvement**

Consultation

Governors informed Corporation of their recent visits to the College. These included a mixture of social, support and academic area visits.

The visits gave members a further perspective to support their decision making, monitoring and assurance remit.

Corporation commented on a successful Open Day and Graduation & Awards Ceremonies.

Resolved:

That the verbal update from Corporation members be received.

68.17 **Correspondence**

Information

Corporation gave consideration to the items of correspondence.

Association of Colleges letter from the outgoing President, Ian Ashman.

The letter made mention of the political landscape, new Prime Minister, General Election and BREXIT.

The final stages of the AoC review were being put into practice and would be communicated to members.

A mental health resource pack had been developed to support colleges.

AoC Governors Council draft minutes from the meeting held on 9 May 2017

Consultation with regard to the DfE reviews on governance indicated a key point was the challenges colleges face in recruiting new governors and to note the important role Principals can play in championing good governance.

A new data tool was presented which used live college data to assist governors and senior leaders to better understand how their Colleges perform with regard to ranking of public accountability measures and their mix and balance of provision.

AoC have secured funding from ETF to deliver a programme of professional development for governance professionals.

The Code of Good Governance review showed that 81% of general further education and specialist designated colleges had adopted the Code. The Code was regarded as particularly useful for new governance professionals and new governors.

Association of Colleges Update Policy

The paper covered developments in the 11 week period between 8 March and 19 June

AoC's manifesto

Key themes:

'For the UK to succeed in a post-Brexit world, this country must be more self-sufficient in skills and needs a stronger education system.

Colleges are vital to achieving this and stand ready to deliver to people of all ages. Colleges are the only institutions which can make this a reality.

We need to develop a new culture of lifelong learning, and make this the norm in all communities, for all people.

To achieve this, there must be more investment.'

Technical Education and T Levels - The Government reaffirmed its commitment to implementing the Skills Plan and the introduction of new technical education qualifications in the Industrial Strategy green paper published in January 2017 and also in the Budget published in March 2017.

Uncertainty around **Institutes of Technology** continued.

Apprenticeships continue to be a contentious area particularly with regard to funding. HMRC started collection of the 0.5% apprenticeship levy in April 2017 and the Digital Apprenticeship Service commenced full operation in May 2017.

The House of Commons and Lords approved the **Technical and Further Education Act** in April 2017 in the last week of Parliament. The Act extends the remit of the Institute of Apprenticeships to cover technical education, places requirements on combined authorities to support national data collection where they manage skills budgets and puts the college insolvency provisions into law. These will not take effect

until the second half of 2018.

The Higher Education and Research Act empowers the new Office for Students and UK Research and Innovation to take over from HEFCE and gives statutory authority to the regulation of higher education providers, quality assurance and data collection.

Education and Skills Funding Agency (ESFA) - The EFA and SFA merged to become ESFA

Area Reviews and intervention - 332 colleges were involved. There have been 19 College mergers and another 28 due in 2017. There are 35 colleges with financial notices to improve and 14 with inadequate Ofsted Grades

English and maths - ESFA published funding guidance for 2017/18 in March 2017, which stated that there would be no change in the grade D condition of funding. Students with grade D or grade 3 in English and maths will need to continue to study GCSEs in these subjects.

Resolved:

That the correspondence be received.

69.17
Decision

Report of the Finance and Resources Committee of 6 June 2017

Corporation gave consideration to the report of the Finance and Resources Committee held on 6 June 2017.

The Principals Strategic Plan Progress Report 2016 / 2017

Financial Position Statement for Period Ended 30 April 2017

Capital and Revenue Cash Flow for Period Ended 30 April 2017

Capital Expenditure Report for Period Ended 30 April 2017

Myerscough Ventures Report for Period Ended 30 April 2017

Corporation noted that the Committee had considered the above regular reports on the various aspects of the College finances for the period ended 30 April 2017. Whilst the finances of the College remained in a healthy state the impact of the reduced HE student recruitment in the current year remained of serious concern. This had been reported to the last Corporation meeting and Management continued to take action to mitigate the reduction in income. Surplus (pre FRS102) was £495k which was £363k behind budget, the balance sheet was healthy with a current ratio of 1:1.3 and cash days of 66.

Turnover was slightly behind profile but in the main, the financial key performance indicators were on or above target.

Recruitment for 16 to 18 year olds was ahead of last year and above target.

HE recruitment as previously reported was significantly behind target.

Staff costs as a percentage of income were at 58.1% against a target of 57.7%.

Income from Myerscough Ventures was behind profile, due in the main to the reduction in HE numbers and associated empty bed spaces and knock on impact to other on-site activities.

The Farm was behind profile as it moved into the new FFIT. Capital Expenditure was in line with profile and it was noted that the formal opening of the FFIT was programmed for 7 September 2017.

Statutory Risk Register

Corporation noted the risk registers applicable to Finance and Resources Committee. The approach provided assurance concerning management of risk linked to Finance, Health & Safety, Human Resources, Resources and the Estate.

College Funding

16-18 Classroom Based - As reported to Corporation in March, the contract allocation for 2017/18 provides funding for 1649 students with a value of £11,902,545. The figure was above the previous year by £1,211,287, though this figure did include a transfer of £153,667 from the SFA for those continuing students aged over 19.

19plus Classroom Based - The SFA has confirmed that the allocation for 2017 / 18 would be exactly the same as 2016 / 17 with the exception of the 19 plus Continuing Students transfer of £153,667 to the 16-18 funding.

Apprentices Update - The changes in funding for apprentices with the introduction of the Government levy scheme means that the SFA is now only allocating funding for apprentices who are already on programme under the previous funding system (i.e. before 1st May 2017) and for new apprenticeship starts from non-levy paying organisations.

Whilst the 'carry in' funding from the SFA will not be finalised until July 2017, £1.3m has been indicated as the potential allocation for 2017 / 18.

In terms of the new starts from non-levy paying organisations the SFA has not been able to calculate allocations for the full financial year but only until December 2017, which equates to £267k. There is no allocation for new starts from levy paying organisations as the funding comes directly out of the employer's levy payment.

Benchmarking of Financial Statements 2015 / 2016 – Land Based and Lancashire Colleges. - These provided useful comparisons though members were aware there were many variances due to budget headings and different levels of contracting out of services.

Human Resources Report for the Period Ended 30 April 2017

'Role did not meet expectations', 'relocation' and 'level of pay' were the top three reasons for teaching staff leaving Myerscough. The top reasons for support staff leaving was 'retirement' and 'relocation'.

Members engaged in discussion around the framework of pay, its bands and progression opportunities, noting that though some movement of staff was healthy to the organisation, experienced staff were a valuable asset.

Health and Safety Report for the Period ended 30 April 2017

Members gave consideration to the Health and Safety Report for the period ended 30 April 2017 which provided an analysis of accident statistics over the period together

with other Health and Safety activity including policy updates, staff training, free health checks, auditing and inspections.

Only one accident was RIDDOR reportable. Overall, accidents had increased by 16 compared to the same period last year.

Analysis indicated that of the 94 accidents –

16 (17%) were taken to hospital 41 (44%) received first aid treatment 37 (39%) needed no treatment
83% of accidents were either treated on site or required no treatment.

The report included reports on two Health and Safety Reviews relating to Residential Operations and Ventures – Sports Turf.

Appointment of Directors and Trustees

Corporation endorsed the appointments of Stuart Heys and Ian Douglass as Directors and Trustees of the dormant companies, Myersco Ltd. and Myerscoll Ltd. to replace Stephen Rigby and Ian Higginbotham.

The Committee also agreed to Stuart Heys and Ian Douglass being appointed as trustees to the charitable prize funds, valued at around £18k.

Resolved:

That Corporation received the Finance & Resources Committee report from its meeting held on 6 June 2017.

70.17 *Decision*

Report of the Audit & Governance Committee of 27 June 2017

Corporation gave consideration to the Audit & Governance Committee Report from the meeting held on 27 June 2017.

Financial Statements Audit and Regularity Audit Annual Plan for the Year Ending 31 July 2017.

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 2017.

The Plan included details of RSM's fee for 2017 which was up by 3%.

Key areas of audit focus would be income recognition, pension scheme liabilities, going concern, management override of controls, key financial controls and capital projects.

After full discussion and due consideration the Committee concluded that the proposed Financial Statements and Regularity Audit Plan were satisfactory and provided value for money and as such was recommended to Corporation for approval.

Internal Audit Plan for 2017 – 2018

The Plan RSM internal audit presented had proposed four areas for audit – financial system review at the farm, IT cyber risk and general data protection regulation, student journey admissions process and payroll – part time payment portal.

Following discussion members had requested some re-ordering of audits and debated the merits of replacing the student journey audit with attention to health and safety and disaster recovery matters.

Corporation concurred with the Audit & Governance Committee recommendations and gave attention to the revised plan:

Financial systems review – the Farm IT Cyber Risks and General Data Protection Regulation Disaster Recovery and Contingency Planning Payroll – Part-time payment portal

The Plan included an allocation for engaging with Management and 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 would serve to inform the adequacy of the College's own action tracking processes.

Membership of Corporation

Gerry Corless -The current term of office for Gerry Corless as a Member of Corporation was due to expire on 31 July 2017 at which time he would have completed one four year term of office and was eligible for re-appointment

Garry Payne - The current term of office for Garry Payne as a Member of Corporation was due to expire on 30 September 2017 at which time he would have completed one four year term of office.

Audit & Governance Committee had recommended re-appointments for both and that timings were brought in line with the academic year.

Student Governor Appointments

Following due process Sian Oliver, HE Animal Studies student, had been appointed as the MSU Student President for the academic year 2017 / 18 and would therefore take her place as a Student Governor. The Student body had also recommended Libby Dunstan, an apprentice Veterinary Nursing student, to serve as the second Student Governor.

Timetable of Meetings 2017/2018

A revised Timetable of Meetings for 2017 / 2018 was presented to Corporation. This incorporated the requested date change for the Audit & Governance April meeting.

Corporation concurred with the proposal to move the Annual Governors Away Event from January 2018 to April 2018 which fitted the time frame for the appointment of a new Chief Executive and Principal.

Membership of Committees

Corporation was recommended to adopt the proposed Membership of Committees for 2017/2018.

Corporation gave consideration to the matters for information.

Internal Audit Reports – May 2017

Corporation noted the Internal Audits and that Audit & Governance Committee had expressed satisfaction with the reports. College had performed well when benchmarked against similar organisations.

Internal Audit Reports had taken place on the following:

Capital and Estates Management - The focus was on systems and processes in relation to planned and reactive maintenance.

Review of the Framework for Curriculum Planning and the related systems and processes.

Subcontractor Controls This was a requirement of the Skills Funding Agency, now the Education and Skills Funding Agency.

Catering Key Control Framework including Value for Money to ensure such provision was delivered efficiently and effectively and ensuring value for money.

The fifth report related to a review of the recommendations made in the 2015 / 2016 audits and found that of the 15 actions proposed, 14 had been fully implemented and one was ongoing.

The last report was the Internal Auditors progress report and showed performance against plan which had been undertaken within the agreed programme.

Corporation noted that Audit & Governance Committee had been satisfied that all issues raised by the audits had been addressed or would be in the future by management.

Internal Audit Progress and Summary Report Incorporating Internal Audit Report of May 2017

Of the 26 recommendations proposed, 21 (80%) had been implemented, 1 (4%) was on-going, 1 (4%) was no longer applicable and 3 (12%) were not yet due, and no items were outstanding.

Risk Management Plan 2016 / 2017

The Committee considered the Risk Management Plan for 2016 / 2017 broken down into the constituent parts, which focused on the key risks on the Risk Register.

The register had recently been reviewed by the College Strategic Management Team. There was a question regarding the references to the HE provision within the register to which the Principal responded.

Data Returns Monitoring Report

The College had met all necessary time frames for the returns.

Governance Quality Improvement Plan - All actions were schedule for completion by the end of the academic year.

Letter to the Accounting Officer from the Education and Skills Funding Agency

The letter referred to the key messages for colleges of strong governance, clarity of direction and the use of high quality self-assessment relating to finance. For the latter point the letter indicated that a revision was taking place of the self-assessment questionnaire as part of the accounts direction for the current year. Management confirmed that this revised self-assessment questionnaire had not yet been received.

Post – 16 Audit Code of Practice 2016 – 2017 -The recently published Education and Skills Funding Agency document was circulated.

Inspection of Examination Arrangements - The unannounced inspection by the Joint Council for qualifications (JCQ) found compliance in every aspect of management and operation.

Audit Committee Annual Cycle of Business 2017/2018 - The business cycle of the Committee for 2017 / 2018 was agreed

Resolved:

1. **That the Financial Statements / Regularity Audit Plan for the Year Ending 31 July 2017 be approved.**
2. **That the revised Internal Audit Plan be approved.**

3. That Gerry Corless be re-appointed as a Member of Corporation for a second term of four years commencing 1 August 2017.
4. That Garry Payne be re-appointed as a Member of Corporation for a second term of four years commencing 1 August 2017.
5. That the appointment of Sian Oliver as a student Governor serving on the Quality & Standards Committee for the academic year 2017 / 2018 be endorsed.
6. That the appointment of Libby Dunston as a student Governor serving on the Audit & Governance Committee for the academic year 2017 / 2018 be endorsed.
7. The Timetable of meetings be approved.
8. That the Membership of Committees for 2017/2018 be approved.
9. That the items for information be noted.

71.17
Decision

Report of the Quality & Standards Committee of 4 July 2017

Corporation gave consideration to the Quality & Standards Committee Report from the meeting held on 4 July 2017.

Performance Data 2016 / 2017

Quality & Standards Committee had considered the following performance reports:

Strategic Plan Progress Report 2016 / 2017

In Year Performance Data – FE 2016 / 2017

In Year Performance Data - HE 2016 / 2017;

Apprenticeships and Skills Performance Data - 2016 / 2017.

Retention for FE was 96% above target of 95% and above that of last year. 19plus retention was 6% higher than last year at 97%. Across all Centres attendance was at 95% which was on target with punctuality at 99%. Attendance at the Croxteth Centre had improved to 94%. Retention for the 14-16 age group was above 94%.

Issues around Functional Skills and GCSE Maths and English still remained, although results would not be known until late August.

The Report on FE highlighted the strengths and areas for improvement together with action taken to date and planned action to be taken. Two blocks had been issued by examining bodies following verification visits. At the date of the meeting these had been resolved bar one curriculum area at Croxteth.

The Committee explored in detail the issues arising out of the report. In terms of HE overall retention was at 97% with attendance, including authorised absences at 86% a little down on last year.

Research income was currently £97.5k for the year to date against a target of £104k.

An action plan had been produced to attempt to boost recruitment and this would continue and be amended as appropriate.

Three new HE programmes had been approved for commencement in 2018 / 2019:
- MSc Animal Science - FdSc Strength and Conditioning - FdSc Sport Massage Practice

HE recruitment for September 2017 looks similar to that at the same point last year although last year was lower than previous years; a matter of concern to Governors.

Finally, for HE the Department of Education had confirmed that the College could in future use the title 'University Centre, Myerscough'. A new logo was being produced and the new title would be used appropriately.

Apprenticeships and Skills performance to date had improved considerably with achievement at 74% with a potential to reach 79.9%. Results for 2015 / 16 were 69% with a National Benchmark of 67%.

Timely for 2016 / 17 was 56.9% with a potential to reach 70.4% compared to last year of 53.8%. Staffing changes over recent months had now been completed however, a review of terms and conditions of service was currently underway, including full consultation.

Additional monitoring had also been introduced to effect positive change.

Corporation noted that Quality & Standards Committee agreed that actions were leading to improved performance, particularly in Apprenticeships and Skills.

Learner Voice

The Committee had considered the results of recent FE surveys together with some of the key outcomes from Course Reps Meetings and the We Heart U & Golden Roses student led staff award schemes.

5 of the 20 questions had demonstrated a lower figure than last year relating to Library, Catering, Bus service, feeling safe and the Virtual Learning Environment VLE. All surveys showed high level of satisfaction with teaching and learning.

The Course Representatives meeting produced some good feedback around teaching and learning and the work of tutors.

Employer Voice

The survey in relation to Employers was an external survey undertaken by the ESFA. In almost all cases, the results showed an improvement on previous years and the College results compared very well with similar providers and reflected well against these. Myerscough had the highest employer satisfaction in specialist land-based colleges.

The Committee was pleased with the results.

Teaching Excellence Framework

College had been awarded 'Silver' by the TEF Panel, this was valid for three years.

Teaching, Learning and Assessment

Following production of the report all teaching staff had now been assessed.

The results indicated 100% of HE teaching staff graded at 1 or 2 a 6% increase on last year. For FE it was 97% at Grade 1 or 2 a 2% increase on last year.

The Committee noted the report and was pleased on progress made.

Strategic Risk Register - The main areas of risk were student success rates, failure to deliver a quality curriculum and student support.

Quality Improvement Plan 2016 / 2017 - Most elements of the Plan had been achieved or were in progress.

Equality, Diversity and Inclusion Action Plan - Update

The Committee gave consideration to the above report and improvement plan which had been refreshed following the award of Leaders in Diversity. Most of the revised objectives within the plan were to be achieved towards the end of 2017 or 2018. Although gender gap within the Governing body was added to the action plan.

One of the recommendations was to appoint a link Governor for EDI and Jane Booker had agreed to undertake this role. Jane was scheduled to take over from Clare Platt as the link Governor for Safeguarding at the end of the year when Clare retired from the Board. This additional role would complement that of Safeguarding Link Governor.

Learning Information Service - The report concluded that Myerscough College had all the necessary elements to support the needs of UCLan's HE students.

Resolved:

That the matters for information be received.

72.17
Decision

Independence of the Clerk

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 him to demonstrate his independence. Corporation Members agreed the current policy remained fit for purpose.

Resolved:

That the Independence of the Clerk Policy be approved.

73.17
Decision

Corporation Annual Cycle of Business 2017 - 2018

Corporation gave consideration to its Annual Cycle of Business for 2017 / 18.

The Governor Extranet would be populated with the dates for meetings and College events.

Resolved:

That the Corporation Cycle of Business 2017 / 18 be approved.