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| **MINUTES** | | | | | | |
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| *Corporation No 159* | | | | | | |
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| Date: |  | *06/07/2021 (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, Barbara Godby, Clare James, David Hall, Debbie Clayton, Jane Booker (Vice Chair), Kevin Burke, Louise Bell, Rafik Adam, Robert Wallace, Robin Newton-Syms, Sue Collinge and Thomas Cocks* | | | | |
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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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| ***Public* Minutes** | |
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| Item number: | Item description: |
| (and category) |  |
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| **46.21** | ***Attendance of College Management Staff*** |
| ***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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| **47.21** | ***Apologies for Absence*** |
| ***Record*** | Apologies had been received from David Hall and Allison Jones. Tom Cocks was not in attendance. |
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| **48.21** | ***Public Minutes of Previous Meeting*** |
| ***Decision*** | The public minutes of meeting number 158 held on Tuesday 16 March 2021 and published on the extranet were agreed and signed as a true and correct record of the meeting. |
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| **49.21** | ***Declarations of Interest*** |
| ***Record*** | There were no declarations of interest made in respect of items on the public agenda. |
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| **50.21** | ***Opening Remarks of the Chair*** |
| ***Decision*** | 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.  **Resolved:**  **That the report be received.** |
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| **51.21** | ***Election of Chair and Vice Chair of the Corporation*** |
| ***Decision*** | Members gave consideration to the appointment of Chair and Vice-Chair of Corporation for the ensuing year.  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 September 2021 to 31 August 2022.**  **2. That Jane Booker be appointed Vice-Chair of the Corporation for the period 1 September 2021 to 31 August 2022.** |
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| **52.21** | ***Actions of the Chair*** |
| ***Decision*** | The Corporation was informed of three actions taken by the Chair to ensure the continued development and operation of the College.  These were:  1. To agree to additional Capital Expenditure on Residential Accommodation - a  note from the Deputy Principal, Finance and Corporate Services was attached to  the agenda detailing this action.  2. To agree to the submission of a funding bid to the Post 16 Capital Growth Fund  - a note outlining the bid was attached to the agenda.  This decision was endorsed unanimously electronically by  the remaining members of Corporation.  3. To confirm the renewal for a further term of office of four years of Governor  David Hall.  **Resolved:**  **That the above Actions of the Chair be endorsed.** |
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| **53.21** | ***Appointment of Student Governors*** |
| ***Decision*** | |  | | --- | | The College had two Student Governors for 2020/2021 - FE Student Thomas Cocks and HE Student Jenny Wilson. The Clerk had recently been informed that Jenny Wilson had left the College and was therefore unable to perform the duties of a Student Governor.  The College Student Union has been seeking nominations to serve on Corporation for 2021/2022.  Following questions it was: |   **Resolved:**  **That the Vice Principal review the process for election of Student Governors for 2021/2022.** |
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| **54.21** | ***ESFA Health Check Letter*** |
| ***Decision*** | The Corporation considered a letter from the ESFA in which it confirmed that the financial health of the College was:  2019-2020 (outturn year) - Outstanding  2020-2021 (current budget year) - Good  The letter also included a financial dashboard as of May 2021 outlining a high level overview of the College's financial performance. It was primarily aimed at Governors to provide help with their role in overseeing the Corporation’s financial performance and ensuring financial sustainability and solvency.  **Resolved:**  **That the letter and dashboard be received and officers be congratulated on a strong financial performance given the difficult circumstances arising from the pandemic.** |
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| **55.21** | ***Report of the Audit and Governance Committee of 15 June 2021*** |
| ***Decision*** | |  | | --- | | The Corporation gave consideration to the report of the Audit and Governance Committee held on 15 June 2021.  **Financial Statements Audit and Regularity Audit Annual Plan for the Year Ending 31 July 2020.**  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 2020, which included RSM's fee for 2020. 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 2021.  The Committee recommended the plan to Corporation for adoption.  **Internal Audit Plan 2021-2022**  The Committee considered a report from the Internal Audit representative on the proposed Internal Audit Plan for 2021-2022. The plan had been driven and agreed by management, based on the College’s risk profile and the view of priorities for coverage for the forthcoming year.  The suggested Audit Plan assignments for 2021/2022 were:  1. Strategic Control  2. Safeguarding  3. Capital Expenditure  4. Key Financial Controls – Payroll  5. Sub-Contracting Controls  6. Cyber Security  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 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.  The Committee recommended the Plan to Corporation.  **Timetable of Meetings 2021/2022**  The Committee recommended a timetable for meetings in 2021/2022, which reflected the format adopted for the current year.  **Committee Membership 2020/2021**  The Committee recommended a Committee membership for 2021/2022 based on the current format.  **Other matters reported for information:**  **Internal Audit Reports** including GDPR and Subcontracting Controls.  **Internal Audit Progress Report,** which indicated that no recommendations were outstanding for 2017/2018, 2018/2019, 2019/2020 and 2020/2021.  **Information Report from RSM on Emerging Issues, Spring 2021** (circulated to all Governors for information)  **Strategic Risk Register** - update on progress.  **Data Returns Monitoring Report** - no concerns were reported.  **Post 16 Audit Code of Practice 2020/2021** - requirements noted.  **Governor Vacancy -**ongoing.  **Student Governor Appointments**- Appointments 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 2021 be approved.**  **2. That the Internal Audit Plan 2021/2022 be approved.**  **3. That the Timetable of Meetings for 2021/2022 be approved.**  **4. That the Membership of Committees for 2021/2022 be approved.**  **5. That the items for information be noted.** | |
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| **56.21** | ***Report of the Quality and Standards Committee of 22 June 2021*** |
| ***Decision*** | Corporation considered the report of the Quality and Standards Committee of 22 June 2021.The Committee had reviewed performance data as follows:  a) Strategic Plan Progress Report 2020/2021.  b) In Year Performance Data 2020/2021:  - FE  - HE  - Office for Students Update  - Apprenticeship and Skills  Quality & Standards Committee considered the Strategic Plan Progress report 2020/2021.  Recruitment to FE was exceeding target although overall attendance was below target mainly due to Covid lockdowns. Recruitment to Apprenticeships indicated that targets, in terms of student numbers and finances, were close to meeting target.  Overall, numbers in Higher Education full time programmes were on target. HE part-time numbers were below target but not significantly. Retention and attendance figures for Higher Education were high.  Standards of teaching in FE and HE were meeting and exceeding expectations although walkthrough observations were below target at this stage at 78.8%.  Full Course Recovery was below financial targets due the Covid lockdowns.  Student responses to the surveys were well above 90%, although some responses were slightly below target.  The In-Year Further Education Performance Report 2020/2021 indicated that recruitment was 1891 against a target of 1707. Overall attendance was at 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 95.6% above the College retention target of 95%. Continued high retention would be a feature of performance. Retention for 14 to 16 year old students was 94.2% overall.  Maths and English students had been divided this year between Functional Skills and GCSEs. At the time of writing the GCSE estimated grades were as follows:  Anticipated grades 9 - 4  GCSE English 49.2%.  GCSE Mathematics 31.6%  GCSE Chemistry 96%  GCSE Biology 80%  These were robust estimates and would hopefully be confirmed by the regulators.  To date recruitment via Furness College for Animal Care and Management was:  Level 2   9  Level 3   18 (1st and 2nd year students)  For Ullswater Community College:  Animal Care:  Level 2   8  Level 3   20  Agriculture:  Level 2   4  Level 3   18  Arboriculture:  Level 2   3  Level 3   7More applications had been received since writing the report with over 100 to date.  The HE In Year performance paper reported high levels of HE student retention 98.3% (against a target of 97%), progression to Year 2 at 98% and attendance at 90.5%. 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 2021 entry, both full time and part time, were currently up compared with the same period last year and it was important to maximise the conversion of applicants to enrolments. Emphasis remained on increasing recruitment.  Included in the report were details of student destination data for 2018/2019 which was managed centrally by HESA.  The Committee considered a report on the continued requirements from the Office for Students. The paper indicated that the College had continued to meet all the requirements and deadlines of the Office for Students.  The College has responded to a significant number of OfS and DfE consultations in the recent period.  The OfS have provided additional Hardship Funding for providers to distribute to students. The College's allocation was as follows:  • Dec 2020 - £22,996  • Feb 2021 - £53, 035  • April 2021 - £17,266  For Apprenticeship and Skills current achievement was at 76.7% with a best case scenario of 82.4% which would be above College target. Timely information and targets did not form part of the new Standards for Apprenticeships.  The current income forecast appeared on target to meet budget.  Retention was 77.2% against a target of 75% with attendance high at over 95% and destination data high at 97%. Observations had taken place with 91.3% meeting expected standards. Employer satisfaction was maintained at 87.1%.  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 indicated that Teaching staff have done an excellent job in ensuring high quality continuous delivery on site and online during a very challenging year and this had contributed to maintaining high retention overall.  The current number of walk-throughs completed at 01.06.21 was 593 of which 50 were joint observations. It was anticipated that the performance for walk-throughs of 78.8% would improve by the end of the academic year.  Staff had been trained to undertake ''deep dives'' in the FE areas to aid performance prior to a possible Ofsted inspection in the autumn.  The Committee received the report.  **Quality Improvement Plan 2020/2021 – Update**  The Committee considered progress on the Quality Improvement Plan 2020/2021. English and Maths remained high priority.  The Committee noted the report  **Equality, Diversity and Inclusion (FREDIE) Report and Action Plan**  The Committee considered the FREDIE, (Fairness, Respect, Equality, Diversity, Inclusion and Engagement) Report and Action Plan for 2020/2021.The Plan detailed all activities and improvements for 2020/2021.  The Committee received the report.  **Safeguarding Report**  The Committee considered the Safeguarding Report which gave an update on current progress.  The report detailed the number of safeguarding alerts which had seen an increase over recent weeks. Also included were partnership arrangements, record keeping, campus security, subcontractor arrangements, staff training and the monitoring of online safety.  Governors welcomed the report.  **Learner Voice**  The Committee considered a report on recent FE surveys. The FE end of year survey was nearing completion and showed an improved participation from last year. Responses to date were very positive.  Key outcomes had been noted from Course Representatives Meetings, Focus Groups and Residential Students meetings, which had continued on a virtual basis due to the pandemic. The Student Golden Rose Awards and My Star Awards had taken place.  The Committee received the report.  **Subcontracting Report**  The Committee received an update on the in-year subcontracting provision. The report covered details of the various contractors, the services they provided, the number of student starts and retention factors (remaining high at 96.5%), together with the value of each contract and the retention fees retained by the College.  The College’s subcontracting provision was audited in May 2021 when a positive report was received with only one operational issue identified; to merge the Sub-Contracting Policy and Procedure with the Sub-Contractor Supply Chain and Charges Policy. This would be reported to the Finance and Resources Committee at their meeting to be held on 29 June 2021.  Discussions would commence shortly with existing subcontractors on allocations for 2021/2022. The College had reduced its subcontracting provision over recent years.  Finally, lesson observations had been undertaken with all subcontracting teaching staff with positive feedback.  The Committee received the report and were pleased to note positive subcontracting provision.  **Statutory Risk Register**  Quality and Standards Committee considered the Strategic Risk Report for 2020/2021. Included in the report was a reference to the risk appetite statement, risk assessment framework and risk heat map.  The Deputy Principal, Finance and Corporate Services, had reviewed the Register and re-ordered it to match the revised Strategic Goals of the College. Governors welcomed the revised report.  The Committee received the report.  **Annual Cycle of Business for 2021/2022**  The Committee received a report on the proposed business of the Committee for 2021/2022.  Apart from a change to when the College Self-Assessment Report would be considered the Committee accepted the report  **Resolved:**  **That the report be received.** |
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| **57.21** | ***Report of the Finance and Resources Committee of 29 June 2021*** |
| ***Decision*** | The Corporation considered the report of the Finance and Resources Committee of 29 June 2021.  **The Principals Strategic Plan Progress Report 2020/2021;**  **Financial Position Statement including Income and Expenditure, Investment Funds and Interest, Capital and Revenue Cash Flow, Ventures and**  **Capital Expenditure for Period Ended 31 January 2021;**  **ESFA Letter on the College’s Financial Health**  The Committee received all of the above regular reports on the various aspects of the College finances for the period ended 30 April 2021. It was pleasing to note that the finances of the College remained in a healthy state with the balance sheet remaining strong.  The key performance indicators related to income, the Capital Plan, Human Resources Statistics and financial performance. The report was based on the new Strategic Goals of People and Sustainability. Staff sickness and retention were better than target with the Riddor accident rate improving and below target of less than 3%. The remaining targets under People related to student satisfaction and in general these expressed good/strong responses in the light of Covid lockdowns.  Sustainability indicated that Myerscough Ventures contribution was behind target due to the pandemic and lockdown. The remaining financial indicators were on, close to, or above target apart from HE part time, Adult Classroom based activity and Full Cost Recovery, mostly due to the Covid situation. Recruitment to FE was approximately 164 above target.  The Capital Plan was anticipated to be delivered within target.  **The Finance Report** was presented by the Deputy Principal, Finance and Corporate Services. The 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 2021, together with the outturn for 2019-2020, the budget for 2020-2021 (revised January 2021), which was approved by the Board in July 2020 and the Forecast for 2020-2021. The Balance Sheet as at the period end was also included, together with details of Cash Flow for the year to 30 April 2021 and forecast Cash Flow to 31 July 2022.  Overall College income was £23.230m against a budget of £23.606m. Surplus income of £1,820k was £871k ahead of budget. This was a continuation of the promising start to the year taking into account the current financial climate. A reduction in income owing to limited commercial and student related activities (due to reduced footfall on campus) had been offset by cost savings. EBITDA to income percentage had increased slightly to 14.6% against a forecast of 12.9% and remained healthy. The actual payroll to income ratio was 57% equal to the budgeted ratio of 57%. Cash balances at the period-end were £9.002m compared to a forecast of £8.497m. Cash days stood at 107 days.  Ventures and Farm income was down to control budget by £359k, £156k against forecast; savings of £52k in pay to control budget and £32k to forecast and a £50k adverse variance in non-pay, £47k to forecast. The overall margin is £186k against a budget of £583k and a forecast of £530k.  The report included the full details of capital expenditure. Expenditure was currently £1.75m against a revised budget of £2.904m, which included the additional funding of £695k from the ESFA.  The Committee welcomed the current financial position.  **Farm Reports** The Deputy Principal, Resources, presented a report on the farm up to 30 April 2021. Income from sales was slightly above budget at £819,806, whilst pay and non-pay at £955,028 was behind budget forecast. Overall the deficit budget at April 2021 was £135,222 against a deficit budget at 31 July 2021 of £96,700.  The performance of the farm would continue to be closely monitored through the remainder of the year. Also circulated with the report was the Farm Monitoring Plan for 2020/2021.  The Committee received the reports.  **Review of the Subcontracting (Including Supply Chain Fees and Charges) Policy and Procedure** The Committee considered the annual review of the Subcontracting Supply Chain Policy including the Supply Chain Fees and Charges.  The Committee noted that there were no significant changes to the policy or fees and charges and agreed that the Subcontracting Supply Chain Policy - Fees and Charges, remained fit for purpose.  **Student Bursary Fund Allocation** The Committee gave consideration to the review of the HE Bursary Fund Policy, Procedure for 2021/2022. Only minor amendments had been made to the Policy and Procedure from the previous year. The Committee also considered two reports on the FE bursary fund awards for 2021-2022.  The Committee noted that the Bursary Fund Policy and Procedure remained fit for purpose and agreed the proposed allocations for 2021-2022 be noted.  **Strategic Risk Register** The Committee 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 report now identified the top five risks for the College. The Deputy Principal had reviewed the Register and re-ordered it to match the revised Strategic Goals of the College. The Committee noted the report.  **Human Resources for the Period Ending 30 April 2021** The Committee considered the Human Resources Report, which contained analysis of staff turnover, breakdown analysis of leavers, staff stability index and staff sickness statistics for the year up to 30 April 2021. The Committee noted that staff turnover was currently much better than target at 12.7% (16.4% April 2020) and also better than the AoC benchmark. This was due in the main to the Covid pandemic and the resulting economic uncertainty.  The average number of working days lost due to sickness at the College was 4.06 days and lost time percentage was 1.56%. For the same period last year, the average number of working days lost due to sickness at the College was 6.96 and lost time percentage was 2.68%. The notable improvements were good, but the improvement was, in part, be due to a significant number of staff being furloughed during the reporting period and the increased possibility of presenteeism – the concept of working whilst unwell - made more possible due to remote working.  Long term sickness of 9 employees, an increase of 4 on the last period, was above the target of 6.  Governors queried the current level of vacancies but it was explained that this was due to a number of new posts being established to meet the rise in student numbers, plus the additional posts appointed in response to implementing the Governments Kick Start programme.  The Committee received the report.  **Health and Safety Report for the Period Ended 30 April 2021** Members gave consideration to the Health and Safety Report for the period ended 30 April 2021, 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 that of the 75 accidents, a rise from the last quarter as the College became populated as lockdown eased. This was still lower than the same period in a normal year.  9 (28%) were taken to hospital  37 (49%) received first aid treatment  29 (29%) needed no treatment  88% of accidents were either treated on site or required no treatment  There was only one RIDDOR reportable accident during the period.  There were no identified trends from the current location of the accidents. The report included details of recent audits, training and drills. Work continued on Covid training, prevent measures and testing. Lateral flow testing was continuing. During the period 4,926 on site tests took place across all campus with a further 4,825 tests carried out at home.  10 students tested positive, none in residencies, with 4 staff testing positive, all were required to isolate. The majority of staff were tested twice a week and students once a week.  The Committee received the report.  **Resolved:**  **That the report be received.** |
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| **58.21** | ***Key Strategic Risks*** |
| ***Decision*** | |  | | --- | | The Corporation considered the Strategic & Governance 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 risk had now been identified. |   Governors welcomed and received the revised report.  **Resolved:**  **That the report be received.** |
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| **59.21** | ***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 the current policy remained fit for purpose.  **Resolved:**  **That the Independence of the Clerk Policy be agreed.** |
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| **60.21** | ***Corporation Annual Cycle of Business 2021-2022*** |
| ***Decision*** | The Corporation considered a report on the Annual Cycle of Business for 2021/2022.  **Resolved:**  **That the Annual Cycle of Business for 2021/2022 be agreed, subject to moving the date of the Corporation meeting on 12 July 2022 to 5 July 2022.** |
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