

**Minutes of the Corporation Meeting Held on
Tuesday 7 December 2021**

Present: Glodie Atieno, Damien Bourke, Phill Brown, Malcolm Bruce, Jonathan Frankham, Abigail Holmes, Shayer Hussain, Karen James, John Lyne (Chair), Jackie Moores, Elaine Price, Chris Rushton

Nils Elgar, Clerk to the Corporation

In Attendance: Emma Armitage (Assistant Principal Student Experience), Leon Dowd (Deputy Principal Quality and People), Wendy Stott (Interim Director of Finance), Nicola Welland (Deputy Principal Curriculum)

ACTION

21/22.39 Apologies for Absence

Abigail (Abbie) Holmes, recently elected Student Governor for Clarendon Sixth Form, was welcomed to her first Board meeting. Brief introductions were made. Shayer Hussain was congratulated on being re-elected Staff Governor (unopposed). The Interim Director of Finance was welcomed to the meeting. Nicola Welland was welcomed to her first meeting in her new role as Deputy Principal Curriculum.

Resolved: The Board of Governors resolved to appoint Abigail Holmes as Student Governor (Clarendon Sixth Form) for a term of office of up to two years. **Appointed**

Resolved: The Board of Governors resolved to appoint Shayer Hussain Staff Governor for a further two year term of office ending 10 December 2023. **Appointed**

Resolved: The Board of Governors resolved to accept the apologies of Simon Boyle. **Accepted**

21/22.40 Declarations of Interest

It was noted that: **Noted**

- (i) Jonathan Frankham had a standing declaration that he was an employee of the Education and Skills Funding Agency (ESFA), the College's principal funder and regulator;
- (ii) in relation to Agenda Item 10 (Pay Review 2021/22), the Staff Governor and Senior Post Holders (Jackie Moores, Leon Dowd and Nils Elgar) would automatically receive any agreed pay award;
- (iii) In relation to Agenda Item 13 (MAT Update), the Board was recommended to appoint John Lyne as the Corporate Member's (Tameside College) authorised representative at Tame River Educational Trust Members' meetings.

21/22.41 Minutes of the Meeting Held on 16 November 2021

Resolved: The Board of Governors resolved to approve the minutes (including confidential minutes) of the meeting held on 16 November 2021. **Approved**

21/22.42 Matters Arising

There were no Matters Arising. **Noted**

21/22.43 Minutes of Committee Meetings:

(i) Audit Committee – 23 November 2021

Resolved: The Board of Governors resolved to note the minutes of the Audit Committee meeting held on 23 November 2021. **Noted**

21/22.44 Safeguarding Annual Report 2020/21 and Policy

The Assistant Principal Student Experience raised the following points:

- (i) the Self-Assessment Report indicated that safeguarding practice was 'effective' within the College;
- (ii) there was a trend in increasing complexity and volume of safeguarding issues, notably mental health;
- (iii) key strengths included:
 - survey showed that students feel safe and know where to access support;
 - the achievement of safeguarded learners rose by 17.6% in 2020/21 and was 6%-points above the achievement rate of all 16-18 students;
 - safeguarding policies were reactive to the lockdown situation with a focus upon well-being and remote support for students. 359 (189 statutory) students were provided with regular support throughout lockdown;
 - adapted working practices and support were offered to students as a result of lockdown;
 - partnership working was strong;
 - access to staff training via e.learning platforms had developed significantly;
- (iv) recent developments included:
 - two additional staff members were appointed to the Pastoral Team in September 2021;
 - a comprehensive Wellbeing Strategy which covered staff and students was in the final stages of development;
 - the Pastoral Progress and Welfare Team Leader would be undertaking the Mental Health First Aid Instructors Course in 2021/22 in order to roll out further staff training;
 - termly 1-2-1 supervision of the Safeguarding Team provided by an experienced practitioner;
 - FIKA Mental Health Fitness App for staff and students. This was being rolled out to students through tutorial. All

- staff were encouraged to complete the “Essentials of Mental Fitness” course;
- AoC Social Prescribing project in partnership with the charity Street Games was underway. Three staff members would become Social Prescribing Champions;
 - increased support in College from a Mental Health Practitioner (one day per week funded by Tameside and Glossop NHS);
 - an increase in students with Social Emotional and Mental Health (SEMH) needs identified in their Education, Health and Care Plan (EHCP). The Learning Support Team were developing staff training around this;
- (v) the Safeguarding Policy had been revised to reflect updated Department for Education statutory guidance “Keeping Children Safe in Education 2021”. The changes to guidance were mainly around peer-on-peer sexual abuse. A greater focus had been given to e.safety within the Policy;
- (vi) the Prevent Strategy had been revised and action plan updated. There was more emphasis on how Prevent was embedded into teaching and learning practice.

Issues discussed by Governors included:

- (i) the high number of low cost EHCP students attending College. It was noted that these students did not come with any additional funding. This has been raised with the local authority and during the FE Commissioner’s recent visit (Annual Strategic Conversation);
- (ii) that there were clear year-on-year improvements to College work with respect to safeguarding;
- (iii) a view that social prescribing was a very effective tool;
- (iv) the College’s ambition with respect to mental health. It was noted that 37 staff had been trained in mental health first aid, but the aim was to have a trained member of staff in every curriculum area, with two to three in large curriculum areas. It was also noted that there were over 1,000 additional students with an EHCP in school and many of these would come to the College;
- (v) the views of the Student Governors:
- how teachers actually help students. It was suggested that teachers often did not know how to help students or often ended up calling parents / carers. It was noted that every situation was different, however, sometimes the College was obliged to contact parents / carers. While this may not be what the student wants, College staff should always listen to the student’s views and ask them what they want to happen;
 - the timing of wellbeing activities that were scheduled for tutorials sessions as this appeared to differ between first and second year students. It was suggested that there should be a safe space for students when certain topics were being discussed. It was noted that whenever safeguarding type topics were discussed, these would be raised at the start. Also, where it was known that a

student had a previous experience, they would be approached early and had the option of leaving the tutorial early if they so wished;

- the timing of various wellbeing activities, such as Zumba.

- (vi) It was noted that these would commence on 10 January; that the College was more inclusive now, with students turned down only for very good reasons. Effective transition work was being done with students in Pupil Referral Units (PRUs) including both curriculum and personal skills.

Resolved: The Board of Governors resolved to note the quality of safeguarding practice as judged in the self-assessment report. **Noted**

Resolved: The Board of Governors resolved to approve the revised Safeguarding Policy. **Approved**

Resolved: The Board of Governors resolved to approve the revised Prevent Strategy. **Approved**

Resolved: The Board of Governors resolved to note the emerging themes from the start of the academic year. **Noted**

The Assistant Principal Student Experience withdrew from the meeting at the end of this item.

21/22.45 Principal's Report on Apprenticeships

The Principal outlined the following points from her detailed report on apprenticeships:

- (i) apprenticeships represented the key quality improvement focus for the College;
- (ii) the report provided detail on achievement rates for apprentices from the 2019/20 cohort end year and 2020/21 cohort end year. It also provided best case achievement rates forward to 2024/25;
- (iii) the aim of the report was to present achievement rates and provide forensic level detail on the reasons for underperformance, with achievement rates falling from 77.4% in 2019/20 to 55.3% in 2020/21;
- (iv) apprenticeships were the hardest hit provision during COVID, with no adaptations made (at the national level);
- (v) the COVID-19 pandemic was directly responsible for apprentices losing their jobs or being furloughed. However, COVID-related withdrawals extended beyond this including, anxiety, including failure to return to work after furlough; being required to work from home; moving roles within work; failed end point assessment during lockdown with the employer not supporting a resit;
- (vi) some of the under-achievement reported was also due to incorrect recording by the College. For example, some apprentices were recorded as withdrawals where, in fact, they had transferred to a new employer or college;
- (vii) congestion for end-point assessments (EPA) had been compounded by COVID-19. Some 47 apprentices who were

- due to receive their EPA in 2020/21 should now achieve in 2021/22;
- (viii) the management of apprenticeships had been restructured and new leadership had been brought in. A clear improvement plan was in place and progress against this was receiving enhanced monitoring.

Issues considered by Governors included:

- (i) that a 'health warning' had been placed on the government website for visitors wishing to explore educational data, where there was considerable variability in data due to the impact of COVID. As such, Ofsted would be focussing on current progress during any inspection;
- (ii) whether the errors in data recording had been fully resolved. The Principal indicated that this was the case;
- (iii) whether the College had a plan for 'out of funding' learners. The Principal indicated that all apprentices had a plan and the College was checking whether they were still in an apprenticeship role;
- (iv) that EPA was a national problem and the College needed to ensure that it was maintaining good communications with those apprentices awaiting their EPA;
- (v) whether the economic shock caused by COVID-19 would impact on apprenticeship recruitment going forward. It was noted that there was no shortage of students wanting to do apprenticeships, but growth was constrained by employers. The recent growth in study programmes had come at the expense of apprenticeships. However, there were signs that employers were coming back to apprenticeships again;
- (vi) whether there could be some awareness raising from the College and local authority on a collaborative basis that the construction sector was rebounding;
- (vii) whether the high cost of university study, much of which had moved online, might make students consider apprenticeships as an alternative choice.

Resolved: The Board of Governors resolved to note the report.

Noted

21/22.46 Potential Land Sale – Carpark

This item is confidential as it contains commercially sensitive information.

21/22.47 Members' Report and Financial Statements

- (i) **Annual Report to the Members of the Corporation on the External Audit for the Year Ended 31 July 2021 (incl. Letters of Representation)**

The Interim Director of Finance commented that this report had previously been scrutinised in a joint meeting of the Board of Governors with the Audit Committee to meet the new requirement of the ESFA. Key points included:

- (i) the College had reported a deficit of £115k. After FRS102 (accounting for pension costs), the College had made an operating surplus of £1.705m;
- (ii) audit opinion – Wylie & Bisset LLP, the External Audit and Reporting Accountant, expected to issue an unmodified audit opinion;
- (iii) regularity audit opinion – there were no issues to report in relation to their regularity audit opinion;
- (iv) governance and internal control – it appeared the College had strong systems in place to comply with governance arrangements;
- (v) control recommendations – there were no control recommendations;
- (vi) income recognition – additional assurance work on income recognition was required for 2020/21. No matters needed to be drawn to the attention of Governors. However, since the report it had been noted that the Greater Manchester Combined Authority (GMCA) intended to clawback £139k from the Adult Education Budget (AEB), which may take place as a post balance sheet change;
- (vii) the auditors reported that working papers had been prepared to a good standard, which helped ensure a smooth audit.

Issues considered by Governors included:

- (i) an update from the Principal on the potential GCMA clawback of AEB funding. She reported that she had received verbal assurance from the GMCA that no clawback would occur;
- (ii) that the auditors had prepared a 'glowing' report.

Resolved: The Board of Governors resolved to approve the signing of the Statement of Members' Responsibilities by the Chair of Governors. **Approved**

Resolved: The Board of Governors resolved to approve the signing of the Letters of Representation by the Chair of Governors and Principal / Accounting Officer. **Approved**

(ii) Audit Committee Annual Report 2020/21

Governors noted that the Audit Committee Annual Report 2020/21 had previously been scrutinised by the Audit Committee and recommended to the Board of Governors for approval. The conclusion of the Audit Committee was "*...that the Corporation had in place adequate and effective assurance arrangements, framework of governance, risk management and control processes for the effective and efficient use of resources, solvency of the institution and the safeguarding of its assets throughout the year ended 31 July 2021*".

Resolved: The Board of Governors resolved to approve the Audit Committee Annual Report 2020/21. **Approved**

(iii) Members' Report and Financial Statements

The Interim Director of Finance reported the following key points:

- (i) the College achieved a £115k deficit, or a £1.705m operating surplus (post FRS102);
- (ii) income had increased by £1.862m compared with 2020, with expenditure increasing by £1.345m;
- (iii) payroll and restructuring costs had increased by £1.675m, offset by a decrease in other operating costs (£353k). This included additional staff, increased agency staff costs and a 1% pay rise;
- (iv) the balance sheet showed an increase of £6.8m in tangible fixed assets, represented by the Construction Skills Centre;
- (v) cash balances had fallen £200k from £9.876m to £9,682m;
- (vi) the College remained in 'outstanding' financial health.

Resolved: The Board of Governors resolved to approve the Members' Report and Financial Statements for the Year Ended 31 July 2021.

Approved

21/22.48 **October Finance Report**

The Interim Director of Finance reported the following:

- (i) the Corporation had set a budget in 2021/22 for an operating surplus of £526k, before FRS102 (pension costs);
- (ii) as at 31 October 2021, despite a favourable variance of £34k, which included an adverse variance in apprenticeship income of £152k, the College was still forecasting a surplus of £526k;
- (iii) the forecast outturn included a risk against apprenticeship income of £400k due to uncertainty in future recruitment of students;
- (iv) a full budget review would be undertaken in January 2022 (and reported to the Board at its meeting in April);
- (v) capital expenditure – the CSC building had been completed, although landscaping work remained. The College would commence refurbishing C-Floor of Victoria Building in January 2022 for specialist teaching space for Health professionals (T-Level).

Governors noted the Principal's comment that while the apprenticeship market was recovering, apprenticeship income was rightly considered at risk.

Resolved: The Board of Governors resolved to note the October Finance Report.

Noted

21/22.49 **Pay Review 2021/22**

The Deputy Principal Quality and People reported the following points:

- (i) the College budget for 2021/22 had included provision for a 2% pay award, subject to adequate recruitment;
- (ii) an evaluation of recruitment had been concluded and it was agreed that the proposed 2% pay award should stand;

- (iii) the AoC had not yet published its recommended pay award, but it was widely recognised that the key issues were a mounting pay pressure (due to rising inflation) versus inadequate college budgets / funding;
- (iv) the College had signed up, in principle, to be a Real Living Wage employer, but was not accredited;
- (v) the recommended pay award included:
 - a pay award of 2% or £250 (whichever is the greatest), to be paid from 1 January 2022;
 - an increase in the lowest pay rate to £9.90 per hour to keep it in line with the real living wage, to be paid from 1 January 2022 and maintained in line with future increases.

Governors considered the following issues:

- (i) inflation was currently running at 4.2%, before steep rises in gas / electricity prices expected in April;
- (ii) the risk of poor staff morale when faced with increasing bills and whether staff would perceive that the College was doing all it could in terms of pay. The Deputy Principal Quality and People commented that the staff survey was currently taking place. He opined that, in general, there was not an issue regarding staff morale. He added that there was a fine line between what was wanted with what was affordable for the College. The recent Spending Review was not conclusive in terms of funding for further education and college leaders needed to ensure that their colleges were sustainable;
- (iii) staff numbers had increased on the back of higher student numbers. In recent years the College staffing complement had decreased by 100 ftes with the staff pay (as a percentage of income) now at about 65%;
- (iv) the consequence of paying the real living wage, where there was a concertina effect on pay differentials for the lowest paid staff. This would be considered further by management.

Resolved: The Board of Governors resolved to approve the proposed pay award, as outlined above.

Approved

21/22.50 TACE Update

This item is confidential as it contains commercially sensitive information

Jonathan Frankham left the meeting during this item.

21/22.51 Finance Policies:

(i) Financial Regulations

The Interim Director of Finance reported the proposed changes to the Financial Regulations. Section 18 (Expenditure) was reproduced in full as it contained the majority of proposed changes. This included the following:

- (i) changing VAT exclusive figures to VAT inclusive figures for Public Contracts Regulations (PCR) thresholds;
- (ii) raising the threshold for obtaining one quote only from £5k incl. VAT to £10k excl. VAT;
- (iii) a new requirement for all purchases over £25k to publish a Contract Award Notice on the UK Government's Contracts Finder Service;
- (iv) a change to PCR procurement thresholds;
- (v) the inclusion of a procurement process flowchart.

Governors were content with the report as presented.

Resolved: The Board of Governors resolved to approve the proposed amendments to the College's Financial Regulations, as outlined in the report.

Approved

(ii) Treasury Management Annual Report and Policy

The Interim Director of Finance reported the following points:

- (i) the College's performance against key Treasury Management Policy targets in 2020/21;
- (ii) key targets for 2021/22;
- (iii) a proposed amendment to the Treasury Management Policy to increase the period between re-tendering for banking services from five years to 10 years (7 + 3). This was felt to be more appropriate and secure. It also means that a re-tender was required on or before 2025.

Governors noted that very few banks currently engaged with colleges due to the perceived risk and unless this changed, the tender exercise on or before 2025 might prove to be limited in scope.

Resolved: The Board of Governors resolved to note the progress made in respect of the Treasury Management targets for 2020/21.

Noted

Resolved: The Board of Governors resolved to approve the Treasury Management targets for 2021/22

Approved

Resolved: The Board of Governors resolved to approve the Treasury Management Policy, Strategy and Procedures.

Approved

21/22.52 MAT Update

The Clerk to the Corporation reported the following points:

- (i) the Tame River Educational Trust (TRET) was due to commence operation from 1 January 2022;
- (ii) a summary of facilitating resolutions that had either been made or were due to be made by other relevant organisations;
- (iii) the composition of TRET members and need for the Corporation to appoint someone to represent it (as a Corporate Member) at TRET Members' meetings. It was

suggested that John Lyne, as Chair of Governors, would be an appropriate appointment.

Resolved: The Board of Governors resolved to note the content of the MAT Update.

Resolved: The Board of Governors resolved to approve the appointment of John Lyne as its authorised representative at Tame River Educational Trust Members' meetings.

Approved

21/22.53 Items to Note

(i) Chair's Action

Resolved: The Board of Governors resolved to note that no Chair's Actions had been taken since the date of the last meeting.

Noted

(ii) Use of the Seal of the Corporation

Resolved: The Board of Governors resolved to note that no use of the Seal of the Corporation had been taken since the date of the last meeting.

Noted

(iii) Outcome of Annual Strategic Conversation

Resolved: The Board of Governors resolved to note the Outcome of Annual Strategic Conversation letter.

Noted

(iv) Interim Report on Governor Attendance 2021/22

Resolved: The Board of Governors resolved to note the Interim Report on Governor Attendance 2021/22 (81%).

Noted

Student Governors and College officers withdrew from the meeting at the end of this item. Before leaving, the Chair thanked Governors, managers and all staff for their hard work under challenging circumstances over the past year.

21/22.54 Confidential Minutes of the Meeting held on:

(i) 12 November 2021

Resolved: The Board of Governors resolved to approve the confidential minutes of the meeting held on 12 November 2021.

Approved

(ii) 19 November 2021

Resolved: The Board of Governors resolved to approve the confidential minutes of the meeting held on 19 November 2021.

Approved

21/22.55 Time and Date of Next Meeting – Tuesday 15 February 2022 (tbc)

The Clerk to the Corporation reported that the calendar of meetings for the spring term were currently being reviewed. Changes would be reported to Governors.

The Chair thanked Governors for their commitment to the College over the past month which had seen a number of additional meetings to appoint two new Senior Post Holders and to meet a new ESFA audit requirement.

Minutes formally approved by the Corporation:

Chair

Date