

**Minutes of the Corporation Meeting Held on
Tuesday 24 May 2022**

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

Nils Elgar, Clerk to the Corporation

In Attendance: Dave Dobson (Executive Director Finance and Estates), Leon Dowd (Deputy Principal Quality and People), Nicola Welland (Deputy Principal Curriculum)

ACTION

21/22.70 Apologies for Absence

Resolved: The Board of Governors resolved to accept the apologies of Glodie Atieno. **Accepted**

21/22.71 Declarations of Interest

It was noted that 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. **Noted**

21/22.72 Minutes of the Meeting Held on 15 March 2022

Resolved: The Board of Governors resolved to approve the minutes of the meeting held on 15 March 2022. **Approved**

21/22.73 Matters Arising

On minute 21/22.69 (Time and Date of Next Meeting), the Clerk reported that the Governor Development Session had been postponed, pending availability of an external presenter – a new date would be sought and advised as soon as possible, with a tentative date advised of Tuesday 28 June. **Noted**

21/22.74 Key Discussion Topic – Curriculum Planning and Development Strategy

Chris Rushton and Simon Boyle joined the meeting during this item.

The Deputy Principal Curriculum gave a PowerPoint presentation that covered the following general points:

- (i) the curriculum planning and development process was informed by local, regional and national data, and other factors such as post-COVID changes;
- (ii) there were seven elements to the College's provision:
 - Study Programmes (Vocational, Occupational and A Level);
 - Alternative / specialist provision (Springboard, Aspirations, High Cost, 14-16);
 - Higher Education;

- Adult Education;
 - Work Based Learning;
 - Tameside Adult and Community Education (TACE);
 - a small amount of sub-contracting.
- (iii) the structure and subjects within each type of College provision.

Issues considered by Governors included:

- (i) that the College did not appear to be offering any languages. It was noted that there was insufficient demand for language courses at the present time and so was currently uneconomic. However, the College would continue to monitor this (as it would for any other subjects) going forward;
- (ii) whether the College used its destination data to inform its curriculum planning process. It was noted that this was the case and it was suggested that this should be included with curriculum planning documentation.

Resolved: The Board of Governors resolved to note the presentation on the Curriculum Planning and Development Strategy.

Noted

21/22.75 Committees' Report

The Clerk to the Corporation raised the following points:

- (i) the Audit Committee, Remuneration Committee and Search Committee had all met since the date of the last Board meeting. Minutes of these meetings were included in the pack;
- (ii) the key item requiring Board decisions, was the Search Committee's deliberations in relation to recommendations on the reappointment of two existing members and the appointment of two new members;
- (iii) details of the recommended new members were presented. Both were expected to strengthen the Board in terms of skills, experience (including lived experience) and diversity.

Resolved: The Board of Governors resolved to note the key issues and decisions taken at Committee meetings.

Noted

Resolved: The Board of Governors resolved to note the minutes of the Audit Committee meeting held on 22 March 2022.

Noted

Resolved: The Board of Governors resolved to note the minutes of the Search Committee meetings held on 10 March 2022 and 10 May 2022.

Noted

Resolved: The Board of Governors resolved to approve the reappointment of Chris Rushton as an Independent Member for a further four-year term of office ending 9 December 2026.

Approved

Resolved: The Board of Governors resolved to approve the reappointment of Tom Wilkinson as the External Co-opted Member

Approved

of the Audit Committee for a further four-year term of office ending 22 June 2026.

Approved

Resolved: The Board of Governors resolved to approve the appointment of Kirk Cornwall as an Independent Member for an initial one-year term of office ending 24 May 2023. This appointment was subject to satisfactory references, DBS check and confirmation of eligibility.

Approved

Resolved: The Board of Governors resolved to approve the appointment of Saariah Qureshi as an Independent Member for an initial one-year term of office ending 24 May 2023. This appointment was subject to satisfactory references, DBS check and confirmation of eligibility.

Approved

Resolved: The Board of Governors resolved to approve the temporary increase in the Corporation's determined number of Members from 15 to 16, with the number of Independent Members increasing from 11 to 12.

21/22.76 Principal's Report

The Principal outlined the following points:

- (i) performance:
 - the College was targeting a 72% achievement rate in apprenticeships, within an expected range of 67% to 75%. This compared with 55% achievement in 2020/21;
 - current overall attendance, at 88%, had been impacted by COVID, especially earlier in the year;
 - GCSE examinations in English and Maths had started with over 1,000 students involved in each;
 - all end-of-year examinations were now underway and the College was dealing with students that had not sat external examinations since their primary school SATs;
- (ii) finance and learner numbers:
 - during pay negotiations, the Association of Colleges (AoC) had received a call for a 10% pay award from trade unions. No colleges had reported that they were in a position to agree to a pay award of that size;
 - applications for 2022/23 were again strong, with further growth expected, albeit not as much in the current year;
 - the College expected to achieve target numbers for the adult budget and had over achieved the 16-18 target, benefitting from some in-year growth. There had been growth in apprenticeships and additional growth had been planned in this area for next year;
- (iii) accommodation:
 - the College had submitted a T Level Early Years Educator and Teaching Assistants bid for a match funded £1m project to develop specialist space on D-floor of the Victoria Building;
 - the College's Further Education Capital Transformation Fund (FECTF) bid had been successful. However, rather

- than a £14.445m project, the DfE had approved a £11.048m project (see further detail in minute 21/22.81);
- (iv) trips and visits:
- after several years of COVID, there had been a big push on trips and visits, with international trips made to New York, Spain and other European Union destinations. Some of these were supported under the Turing Scheme. If successful, further Turing Scheme bids would include a four-week Australian trip for HE Travel and Event Management students, Construction Students on a work experience visit to Malta, Sport learners undertaking two weeks coaching experience in Valencia, Travel and Hospitality students undertaking work experience in Santorini as yacht crew and Travel, Hospitality and Bakery learners undertaking work experience in ski resorts in Austria;
- (v) conclusion:
- retention rates remained high and the focus now was on ensuring learners stayed and achieved.

Governors were content with the report as presented.

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

Noted

21/22.77 March Management Accounts

The Executive Director Finance and Estates reported the following key points:

- (i) the forecast outturn was for a surplus of £702k, unchanged from the revised budget set during the mid-year review;
- (ii) the main risk to achieving the budgeted outturn was staff cover and recruitment costs. The job market was very competitive and there was a risk that vacancies could cost more than planned to fill. Offsetting this were vacancy gaps that were being covered internally;
- (iii) the College's current electricity contract would end in April 2023. The College had engaged energy consultants to advise on options. This would be considered further at the Budget Scrutiny Working Group when it convened on 14 June;
- (iv) financial health confirmation and dashboard:
- the College had received confirmation from the ESFA that they agreed with the College's Financial Health assessment of 2020/21 actuals and 2021/22 budget and that the College remained financially outstanding.
 - the ESFA also confirmed that they had reviewed the College's audited financial statements, management letter and the Audit Committee Annual Report and had not identified any significant financial control concerns.

Governors were content with the report as presented.

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

Noted

21/22.78 Tuition and Refund of Tuition Fee Policy 2022/23

The Executive Director Finance and Estates reported the following points:

- (i) the Policy was reviewed on an annual basis;
- (ii) the proposed changes to the Policy largely followed any changes to the ESFA and Greater Manchester Combined Authority (GMCA) funding rules. However, the GMCA rules, which followed ESFA funding rules, had not yet been published in either draft or final format and so further changes may be required;
- (iii) changes had been made to job titles following changes to the management structure;
- (iv) changes had been made to the remission of tuition fees in relation to:
 - the addition of a new criterion: *“learners aged 19 or over on a level 3 programme on either the list of GMCA approved qualifications or included in the National Skills Fund initiative (conditions apply)”*;
 - references to the value of universal credit updated to description of measure;
 - GMCA Low Wage Threshold changed to read real living wage, with minimum wage for non-GM; these in place of stated values.

Resolved: The Board of Governors resolved to approve the Tuition and Refund of Tuition Fee Policy 2022/23.

Abigail Holmes left the meeting at the end of this item.

21/22.79 Update on Progress Against Quality Improvement Plan

The Deputy Principal Quality and People reported the following points:

- (i) Leadership and Management – all actions had been completed or were on track:
 - apprenticeships achievement was on track to achieve 72% target and was currently on 51% (only 4%-points below the College’s outturn the previous year);
 - the new It’s My Responsibility (IMR) appraisal process had been implemented and was being further developed for 2022/23. Term 3 would focus on reward and recognition;
- (ii) Quality of Education – all actions had been completed or were on track:
 - the Deputy Principal Curriculum was leading actions to better integrate measures for monitoring learner progress, including leading a review to further improve initial assessment (assignment zero);

- all staff had two days in July to organise appropriate industrial updating as an element of the staff development programme;
 - actions to improve achievement rates were all on track in Animal Care, IT, Creative Arts, Performance Arts, Access to HE (Nursing) and Teaching Assistants;
 - attendance in Business, retention and attendance on A Level and AAT and attendance in Maths and English remained 'amber';
- (iii) Behaviour and Attitudes:
- overall College attendance was slightly below target, with COVID-19 impacting approx. 3-4%-points. COVID absences had decreased in the past few months;
 - the College continued to raise awareness and planned further specific focus groups with learners regarding peer-on-peer sexual abuse;
- (iv) Personal Development and Safeguarding – all actions had been completed or were on track.

Issues considered by Governors included:

- (i) that progress was being made across all areas in the Quality Improvement Plan, especially in the apprenticeships achievements;
- (ii) that it was good to see teachers getting their professional skills updated;
- (iii) that the RAG rating was useful in directing Governors' attention within the comprehensive report;
- (iv) that the College should seek to develop an apprenticeship programme with TMBC;
- (v) the view from the Staff Governor that the IMR allowed staff to recognise good work within the team and also allowed a consideration of staff well-being alongside performance.

Resolved: The Board of Governors resolved to note the Update on Progress Against the Quality Improvement Plan. **Noted**

21/22.80 Behaviour Management

The Deputy Principal Quality and People reported the following points:

- (i) behaviour was effectively and fairly managed, including the more significant behaviour issues;
- (ii) the College had maintained the level of behaviour management, which had been commented on favourably by Ofsted and visitors to the College;
- (iii) there had been 1,862 sanctions, this being significantly more than in 2020/21 (1,081);
- (iv) the majority of sanctions (1,156) were the Notice To Improve for the more minor issues;
- (v) there had been 388 Stage 1 and 51 Stage 2 formal sanctions. The majority were linked to poor / inconsistent attendance

- and / or punctuality and not submitting work or poor quality of work;
- (vi) there had been 156 suspensions, 60 Stage 3 formal sanctions and 33 permanent exclusions. These were due to serious behavioural issues, such as abusive behaviour or violent behaviour and behaviour linked to illegal substances;
 - (vii) the College had a one strike and out approach to substance misuse, which had proven effective. Of 25 Stage 3 cases, only one had led to an exclusion. The College also had zero tolerance to drug dealing and carrying weapons (e.g. knives).

Issues considered by Governors included:

- (i) that the case studies presented demonstrated that this remained a challenging area for the College. It was suggested that the College's work with feeder schools could help manage poor behaviour as a preventative approach;
- (ii) whether political extremism was an issue for the College. It was noted that this was not a current issue for the College but previously there had been racial and geographical tensions. Pre-COVID there had been incidents of white racial groups placing stickers in the locality of the College;
- (iii) those under 18 who were Not in Education, Employment or Training (NEET) were encouraged to be in education or training, such as Princes Trust. It was noted, however, that there were low numbers of NEETs (and teen parents) in Tameside. Organisations such as Positive Steps were helping in this area. It was also noted that while the College wanted to avoid NEETs, it recognised that it could not meet everyone's needs, in which case it would signpost other partnership opportunities.

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

Noted

21/22.81 Estates Development Update

The Executive Director Finance and Estates reported that significant actual or planned capital work, necessitated a review of budgets up to 2025, especially the cash flow position. Key points included:

- (i) current projects:
 - the completed Construction Skills Centre was now in operation;
 - the refurbishment of C-floor of Victoria Building had been completed, with teaching taking place since Easter;
 - the refurbishment of half of B-floor was due to finish on 25 July, ready for the start of the next academic year;
- (ii) funding bids:
 - the successful Institute of Technology bid with Salford University would result in £1.2m capital funding for the College. However, receipt of funding had been delayed following a delay to the licence signing due to a legal point being raised by one of the partners;

- T-Level Wave 4 funding bid for £0.5m within a £1.0m project to deliver education and childcare T-levels from September 2023, involving the refurbishment of D-floor in the Victoria Building. A decision on this was expected by autumn 2022;
- the College's FECTF funding bid for £6.43m within a £14.45m project. The DfE had now assessed the project and approved a £11.048m project with £4.6m grant. The College's professional services team had recently revised the project costs upwards from £14.45m (priced in early 2021) to £15.0m, which was based on national supplier rates. The £4m gap between this revised figure and the DfE's own project costing was too big for the College to bridge. Therefore, the College had worked up a viable (£11.500m) project that would deliver on the scope of the project, but represented a change to the design and methodology. Proposed changes to the project included:
 - removing the mezzanine floor from the proposed new Automotive Centre and relocating it from the spill over (gravel) carpark to near the entrance to the Beaufort Road site;
 - over-cladding the existing Plumbing building for the Animal Management Centre, rather than stripping back to the steel framing and rebuilding from there;
 - increasing the amount of soft landscaping across the Beaufort Road site;The proposed changes would be submitted to the DfE, but it was not clear whether they would be accepted;
- outstanding projects would be considered within the next review of the Estates Strategy / budget. There was a possibility of a further FECTF or capacity fund funding round.

Governors considered the following issues:

- (i) what protection the College would have from rampant inflation. Construction sector intelligence was that there was an expectation of 10% cost inflation over the next year. It was noted that the College would only gain price certainty when it signed a contract with its chosen contractor;
- (ii) the level of contingency within the project budget. It was noted that this had been set at 5%;
- (iii) the terms and conditions of the grant. Considerations included:
 - that these had been included in the email received shortly before the Board meeting and had yet to be scrutinised;
 - the College had until 17 June to return required documents and agreed to the grant terms and conditions;
 - that it would be likely that the DfE would monitor the project, especially for any amendments;
 - that the DfE would have to agree to the proposed changes to the design and methodology, otherwise the project would not be viable. If the DfE did reject the

- College’s proposed changes, then the College would need to provide it with all its supporting data;
- the Association of Colleges was aware that DfE FECTF grant funding offers, in general, had not matched college expectations and had advised its members not to accept any grant funding offers that would put their financial viability at risk;
 - the Executive Director Finance and Estates was clear that he could not present Governors with a £15m project and only £11m in funding;
 - that the terms and conditions of any grant funding needed to be fully understood. This was to avoid the possibility of having to return monies should the project subsequently turn out to be unaffordable. It was felt that this would negatively impact the College’s reputation with the DfE;
- (iv) that the College could move ahead on the basis that the DfE terms and conditions could be agreed and that a Chair’s Action could subsequently be taken if an updated decision was needed;
- (v) that an update should be sent to Governors regarding the requirements in relation to the 17 June deadline.

Resolved: The Board of Governors resolved to note progress of capital works and funding bids. **Noted**

Resolved: The Board of Governors resolved to approve the revised FECTF project value (£11.5m). **Approved**

Resolved: The Board of Governors resolved to approve the progression of the DfE grant offer on the revised £11.5m project. **Approved**

21/22.82 **Items to Note**

(i) Chair’s Action

Resolved: The Board of Governors resolved to note that there had been no Chair’s Actions 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 there had been no use of the Seal of the Corporation since the date of the last meeting. **Noted**

(iii) Interim Report on Governor Attendance 2021/22

Resolved: The Board of Governors resolved to note the Interim Report on Governor Attendance 2021/22 (85% year-to-date). **Noted**

Jonathan Frankham, Shayer Hussain and College officers (except the Principal and Clerk) left the meeting at the end of this item.

21/22.83 Confidential Minutes of the Remuneration Committee Held on 10 May 2022

Resolved: The Board of Governors resolved to note the minutes of the Remuneration Committee meeting held on 10 May 2022. **Noted**

21/22.84 Review of Effectiveness of Meeting and Any Emerging Risks

No items were raised under this agenda item.

21/22.85 Time and Date of Next Meeting – Tuesday 5 July 2022

Minutes formally approved by the Corporation:

Chair

Date