

Minutes of the Corporation Meeting Held on Tuesday 21 May 2024

Present: Damien Bourke, Simon Boyle, Phill Brown, Kirk Cornwall, Jonathan Frankham, Nicky Littler, John Lyne (Chair), Jackie Moores, Elaine Price, Evelyn Rayne, Arsana Subba, Remell Thompson-Bell, Atta Ul Rasool

Nils Elgar, Clerk to the Corporation

In Attendance: Dave Dobson (Vice Principal Finance and Infrastructure), Leon Dowd (Deputy Principal Quality and People), Nicola Welland (Deputy Principal Curriculum)

ACTION

23/24.69 Apologies for Absence

Governors noted the resignation of Karen James and that Rachael Frankland had recently commenced her one-year sabbatical.

Resolved: The Board of Governors resolved to accept the apologies of Malcolm Bruce and Jemma Newton. **Accepted**

23/24.70 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 the final agenda item (Confidential Minutes of the Remuneration Committee Meeting, 7 May 2024), Staff and Student Governors and College officers would be asked to withdraw from the meeting for the consideration of this item.

23/24.71 Minutes of the Meeting Held on 26 March 2024

Resolved: The Board of Governors resolved to approve the minutes of the meeting held on 26 March 2024. **Approved**

23/24.72 Matters Arising

On minute 23/24.63 (March Finance Report and Mid-Year Review), it was noted that the Salix Net Zero funded capital project would be discussed within the March Finance Report. **Noted**

23/24.73 Accountability Statement

Damien Bourke and Kirk Cornwall joined the meeting during this item.

The Deputy Principal Curriculum reported the following points:

- (i) the annual Accountability Statement outlined the College's commitment to improving educational outcomes and meeting

performance targets. It detailed how the College planned to address local economic needs, comply with statutory requirements and align the curriculum with the demands of the local labour market. The Statement also included action plans and measurable goals to ensure continuous improvement and accountability in delivering high-quality education and training;

- (ii) the College's contribution to meeting skills needs was judged 'strong' in the recent Ofsted inspection;
- (iii) a copy of the Position Statement was included in the report that outlined details of the various stakeholders involved in the design and implementation of the curriculum;
- (iv) a change introduced for this iteration of the Accountability Statement was the integration of the Local Needs Duty – a duty to assess how well the College was meeting local skills needs – into the Accountability Agreement. This helped to streamline existing reporting processes.

Issues considered by Governors included:

- (i) that while some colleges had, at considerable expense, engaged consultants to draft their Accountability Statement, and others had drafted theirs on two sides of A4, the College had achieved a nice balance in drafting its own document that was cost effective yet provided an appropriate level of detail;
- (ii) the College's inaugural Accountability Statement in 2023 had been submitted to the ESFA before the Greater Manchester Chamber of Commerce (GMCC) had produced their Local Skills Improvement Plan (LSIP). This year the GMCC had been able to provide an early update to their LSIP which helped the College draft its Accountability Statement;
- (iii) the Accountability Statement read well and was impressive in that it conveyed that the College lived and breathed its values. A view was put forward that the College's work with the NHS was impressive, but it could possibly do more with her (NHS) employer. It was considered phenomenal that the College engaged with 786 employers;
- (iv) that, given the sector's propensity for acronyms and sometimes confusing terminology, there was a need for plain English in the College prospectuses so that potential students would clearly understand what courses were about. As an example of this, it was reported that following feedback from the Department for Work and Pensions on the name of a particular College course, a title change had helped increase the number of applications and enrolments;
- (v) that following Board approval the document would be published on the College website;
- (vi) that the local authority would likely incorporate the College's Accountability Statement into their own work streams;
- (vii) that if the College wished to publish its Position Statement, this could be updated to indicate that the College's 'strong' contribution to meeting skills needs.

Resolved: The Board of Governors resolved to approve the Accountability Statement.

Approved

23/24.74 Committees' Report

The Clerk to the Corporation reported the following items:

- (i) the Committees' Report was intended to address one of the recommendations of the External Governance Review, which was for a Committee Chairs' Report. This summarised the work of individual committees that had met since the date of the last Board meeting;
- (ii) two committees had met: the Remuneration Committee and the Search Committee, both on 7 May. The Remuneration Committee considered the progress of Senior Post Holders against their objectives for 2023/24 and reviewed the Committee's terms of reference. The Search Committee had considered membership, the recommendations of the External Governance Review, the FE Code of Good Governance, Governor attendance and the Search Committee's terms of reference;
- (iii) the term of office of a number of serving Governors would end within the next six months. Governor intentions were considered together with their contributions to the Board. All but one were prepared to serve a further term of office. Elaine Price had decided to stand down at the end of her term of office. Recommendations were made to the Board.

Issues considered by Governors included:

- (i) further consideration into how the Board could secure the student voice at the start of each academic year, before student elections had taken place;
- (ii) that opportunities to streamline the Governor appointment process needed to be considered in those instances where the candidate was already known to the College or a particular individual was being targeted.

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| Resolved: The Board of Governors resolved to note the key issues, decisions taken and recommendations made at committee meetings. | Noted |
| Resolved: The Board of Governors resolved to approve the re-appointment of Phill Brown as an Independent Member for a four-year term of office ending 31 August 2028. | Approved |
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| Resolved: The Board of Governors resolved to approve the re-appointment of Malcolm Bruce as an Independent Member for a four-year term of office ending 15 October 2028. | Approve |
| Resolved: The Board of Governors resolved to approve the re-appointment of Damien Bourke as an Independent Member for a four-year term of office ending 16 October 2028. | Approved |

Resolved: The Board of Governors resolved to approve the re-appointment of Jonathan Frankham as an Independent Member for a four-year term of office ending 18 October 2028.

Approved

Resolved: The Board of Governors resolved to note the resignation of Phill Brown from the Remuneration Committee and the Search Committee effective 31 July 2024.

Noted

Resolved: The Board of Governors resolved to approve the appointment of Nicky Littler as a member of the Remuneration Committee and the Search Committee.

Approved

Resolved: The Board of Governors resolved to note the minutes of the Search Committee meeting held on 7 May 2024.

Noted

23/24.75 March Finance Report

The Vice Principal Finance and Infrastructure reported the following:

- (i) March management accounts:
 - a reduced turnover in staffing had seen monthly payroll costs rise from £1.45m in January 2024 to £1.65m during February and March, although some of this was due to the pay award. With pay costs tracking ahead of that planned, the May Finance Report (to be reviewed by the Board at its meeting on 2 July), might show a forecast outturn of slightly less than £1m rather than the £1.335m forecast as part of the mid-year review. This was viewed as a positive development because there were considerable benefits to a stable workforce;
 - the College's cash position remained strong;
- (ii) capital projects:
 - the College's £11.7m Further Education Capital Transformation Fund (FECTF) project was on track, with £240k remaining in contingency;
 - Salix funded project to Clarendon Sixth Form College:
 - a review had been undertaken on a potential £422k project at Clarendon Sixth Form College, with Salix funding and a College contribution of £226k, to replace the boiler with air source heat pumps. The financial risks had been determined to be higher than those originally planned. An alternative project was now being considered for the Medlock Building, Waterloo and Ryecroft buildings. In particular, the Medlock building had originally been planned for demolition, but had been retained to help accommodate the growth in student numbers. The boiler in this building was 40-45 years old and effectively end of life. It was his proposal that this boiler could be replaced by a Variable Refrigerant Flow (VRF) system. This would reduce the College's carbon foot print as it would replace a large boiler with an electricity fed system that would provide heating as well as cooling. A small boiler would still be needed for a hot water supply;

- there were three choices: to continue with the Salix funded project; to speak to Salix regarding a proposed change to the project; or to turn down Salix funding;
 - there would need to be a strong case to change the project. The higher-than-expected financial risk would likely be considered acceptable, but the revised bid would need to be re-written with consultant input at further cost and time. As the alternative project would be cheaper, the College would also lose an element of the Salix funding. On balance, it was his view that the College would be better off by declining the Salix funding and progressing the project with its own resources in a more timely manner;
- (iii) sector update:
- the Department for Education (DfE) had published a new College Financial Handbook that would come into effect from 1 September 2024;
 - an issue arising from the Office for National Statistics decision to reclassify colleges to the public sector was how to consolidate college accounts into government accounts. Various required changes included new reporting requirements as at 31 March each year and the application of new accounting standards. There was some pressure from HM Treasury officials to change the college accounting year end to 31 March.

Governors considered the following issues:

- (i) the Salix funded project and its alternative. It was the view of Damien Bourke, who had been consulted on this issue outside of the meeting, that that the Salix funded project to replace the boiler in Clarendon Sixth Form College with air source heat pumps was not straightforward and represented little benefit for the user;
- (ii) the Treasury preference for colleges to have a 31 March year end. The Chair of Governors reported that college chairs had considered this issue and while they were not against the proposal, they noted the problems inherent in a budget that spanned academic years.

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

Noted

Resolved: The Board of Governors resolved to approve the proposal to decline the Salix funding and pursue separate carbon reduction projects with greater impact.

Approved

Resolved: The Board of Governors resolved to note the sector updates.

Noted

23/24.76

Update on Progress Against the Quality Improvement Plan 2023/24

The update from Deputy Principal Quality and People included the following points:

- (i) Leadership and Management (L&M):
 - all L&M actions had been completed or were on track to complete;
 - attendance strategies were effective. Attendance targets were set for individual students. In some case, while attendance was low, it was better than in their previous education setting;
 - the internal target for the achievement rate for apprenticeships was 57%, with 61% the current forecast. This time last year, the apprenticeship achievement rate was 38% – while this year it was already 53%;
 - the improvement actions for GCSE in English and Maths had been implemented, but as yet their impact was unknown. DfE advisors would be in College on 6 June to see students sit their GCSE English exam. The College was trying to convince these officials that the current policy needed changing;
- (ii) Quality of Education (QoE):
 - all QoE actions had been completed or were on track to complete;
 - the Deputy Principal Curriculum had successfully led actions to improve teaching CPD;
 - improvements to the achievement rates were on track in AAT, L3 Animal Care, Floristry, L2 Cabin Crew, L3 Travel, L3 Computing;
 - progress against the achievement rates was being closely monitored in L2 Animal Care, while retention would be below target for L2 Travel;
 - improvements in retention rates were on target in A Level Religious Studies, Government and Politics, and Psychology. Retention was being closely monitored in Sociology and would be below target in Geography;
 - progress against achievement targets on L3 Technical Certificates was being closely monitored, but improvements were expected;
 - progress against value added targets was on track for Government and Politics, Religious Studies, Business Studies, Computer Science, Law, Film Studies, Art and Design and Engineering. Progress was being closely monitored for Geography, Photography and Graphic Design;
 - apprenticeships achievement was on track to meet target;
- (iii) Behaviour and Attitudes(B&A):
 - overall College attendance was slightly below target. This was known to be a national issue, including in schools. Attendance at GCSE English and Maths remained a challenge. Ofsted considered the College's attendance strategies effective and overall attendance good;
 - the attendance of care experienced learners was on target and the attendance of other vulnerable groups had improved;
- (iv) Personal Development (PD):

- a good range of enrichment activity, other than sport / fitness related activity and particularly supporting wellbeing and mental health, had been developed;
 - these developments, along with a variety of other enrichment and personal development related activity, for example skills competitions, was considered to be outstanding by Ofsted;
 - student voice strategies had been developed well to ensure the voice of a range of groups informed the development, and the impact of, wellbeing and safeguarding related strategies. Ofsted confirmed that students feel safe when in College;
- (v) Meeting Skills Needs:
- good progress had been made in evaluating and improving the focus on meeting skills needs. The College's contribution to meeting skills needs was judged to be 'strong' by Ofsted;
- (vi) Curriculum Scorecard 2023/24 was presented alongside the Quality Improvement Plan. This provided a one-page summary assessment of the College's position in the areas of principles of learning, attendance, retention, curriculum intent, learner satisfaction, staff CPD and curriculum management across all areas of the curriculum.

Governors considered the following issues:

- (i) the reason for 'amber' RAG-ratings for two areas within GCSE English and Maths. It was noted that the amber RAG-ratings had been given because although action had been taken, the impact of the actions was not certain. By comparison, a green RAG-rating indicated the management were confident that the action(s) taken were having a positive impact, while a red RAG-rating was such that this identified issue / action would likely roll-over into the next academic year;
- (ii) the attendance at GCSE English and Maths exams to date. It was noted that there had been only one Maths exams to date and attendance at that was 90%;
- (iii) whether the identified areas of concern relating to teaching were all related to new teachers. It was noted that this was not the case with a mix of new and more experienced teachers needing support. It was also noted that where it had been determined that identified development requirements were so high, then HR processes had been used to exit staff;
- (iv) that attendance was now better at College than in some of the Tameside secondary schools;
- (v) that alongside attendance, some Tameside secondary schools were also struggling with behaviour, attainment, and progress. Because of this, the College needed to be clear with students on expectations on attendance and behaviour.

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

Noted

23/24.77 Behaviour Management

The Deputy Principal Quality and People reported the following points:

- (i) he had been very pleased with the Ofsted 'good' judgement for Behaviour and Attitudes, with the College having an inclusive culture and clear expectations for staff and students;
- (ii) there were three common themes the College had been working on with students and parents to prevent unacceptable behaviour:
 - some students don't consider the consequences of their actions;
 - some students don't take time to respond;
 - some students feel entitled to behave in the manner that they do;
- (iii) the College had received complaints from parents in an attempt to get the College to back down on behaviour issues relating to their child;
- (iv) the College now sought feedback from parents on their handling of student behaviour and this showed that they thought that College processes were fair;
- (v) the number of sanctions was rising over time. The majority of sanctions were Notice to Improve (NTI) sanctions for the relatively minor issues such as attendance or punctuality, non or late submission of work and poor levels of work. The increased number of sanctions at this level demonstrated that teachers were dealing with behaviour;
- (vi) the College was getting better at managing behaviour, although post-COVID behaviour had got worse;
- (vii) there had been an increase in more serious behaviour, for example abusive or violent behaviour and behaviour linked to illegal substances;
- (viii) some case studies were included in the report to provide a context to the application of the behaviour management process.

Issues considered by Governors included:

- (i) the information provided in the report triangulated with what Governors saw when they came into College;
- (ii) behaviour management was a key element of getting students ready for work, for example, wearing an ID badge;
- (iii) whether the details of sanctions were broken down into protected characteristics. It was noted that this work was in development and reported to Governors within the Equality, Diversity and Inclusion Annual Report each July. It was reported that students with Education, Health and Care Plans or designated Looked After Children (children in the care of the local authority) were disproportionately represented in the behaviour statistics;

- (iv) a view from a Student Governor that the 'COVID cohort' of students had presented some challenging behaviour but that staff managed these situations well.

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

Noted

23/24.78 Tuition and Refund of Tuition Fee Policy 2024/25

The Vice Principal Finance and Infrastructure reported the following points:

- (i) the Tuition and Refund of Tuition Fee Policy 2024/25 had received a number of changes in response to a review by the Open University as part of their partnership validation process;
- (ii) the Open University also sought an HE Policy, but this was thought disproportionate to the size of provision and so one new policy had been prepared for approval: the HE Programme Suspension, Termination and Compensation Policy for 2024/25.

Governors were content with the policies as drafted.

Resolved: The Board of Governors resolved to approve the Tuition and Refund of Tuition Fee Policy 2024/25.

Approved

Resolved: The Board of Governors resolved to approve the HE Programme Suspension, Termination and Compensation Policy for 2024/25.

Approved

23/24.79 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 there had been no use of the Seal of the Corporation since the date of the last meeting.

Noted

(iii) Procurement Activities and Approvals

There was nothing to report under this agenda item.

(iv) Update on Governor Development and Engagement Activities

Governor development and engagement activities recorded by the Clerk included:

- 16 April– Meeting re. Open University Institutional Agreement Meeting – John Lyne and Jackie Moores;
- 30 April – Governor Development Session (External Governance Review) – Damien Bourke, Simon Boyle, Malcolm, Bruce, Jonathan Frankham, Nicky Littler, John Lyne, Jackie Moores, Jemma Newton, Elaine Price, Evelyn Rayne, Arsana Subba, Remell Thompson-Bell;
- 4 May – Unconscious Bias eLearning – John Lyne;
- 8 May – Celebration Event for 16-18 Students – Nicky Littler;
- 16 May – Employer Visit (Apprenticeships) to College to talk to Health and Social Care Students – Nicky Littler.

(v) **Interim Report on Governor Attendance 2023/24**

Resolved: The Board of Governors resolved to note the Interim Report on Governor Attendance 2023/24 (86%). **Noted**

23/24.80 **Time and Date of Next Meeting – Tuesday 2 July 2024**

The Chair reported that the date of the next meeting was Tuesday 2 July 2024.

The Student Governors and College officers withdrew from the meeting for the consideration of the next item.

23/24.81 **Confidential Minutes of the Remuneration Committee Meeting Held on 7 May 2024**

Resolved: The Board of Governors resolved to note the Confidential Minutes of the Remuneration Committee meeting held on 7 May 2024. **Noted**

Minutes formally approved by the Corporation:

Chair

Date