

## Minutes of the Corporation Meeting Held on Tuesday 17 October 2023

**Present:** Phill Brown, Malcolm Bruce, Kirk Cornwall, Jonathan Frankham, Shayer Hussain, John Lyne (Chair), Jackie Moores, Elaine Price, Arsana Subba

Nils Elgar, Clerk to the Corporation

**In Attendance:** Dave Dobson (Executive Director Finance, Estates MIS and IT), Leon Dowd (Deputy Principal Quality and People), Steven Pritchard (Head of Estates and Property Strategy), Nicola Welland (Deputy Principal Curriculum)

### ACTION

#### 23/24.01 Apologies for Absence

**Resolved:** The Board of Governors resolved to accept the apologies of Damien Bourke, Simon Boyle, Rachael Frankland and Karen James. **Accepted**

#### 23/24.02 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**

#### 23/24.03 Minutes of the Meeting Held on 4 July 2023

**Resolved:** The Board of Governors resolved to approve the minutes of the meeting held on 4 July 2023. **Approved**

#### 23/24.04 Matters Arising

There were no matters arising.

#### 23/24.05 Health and Safety Annual Report 2022/23

The Head of Estates and Property Strategy reported the following points:

- (i) there were no RIDDOR reportable accidents in-year;
- (ii) fire evacuation exercises worked well. The time taken to vacate the Victoria Building had increased on the previous year, and this was attributed to the much greater number of students that were now being taught in this building following renovations. Staff assisted in the evacuation;
- (iii) the lockdown exercise did not go as well however. There were a number of issues with the installed alarm / messaging system that were currently being taken forward with the supplier.

Governors commented that the purpose of undertaking health and safety tests was to check that systems and procedures would work effectively when needed and so it was better to uncover issues during tests than in the event of serious incident.

**Resolved:** The Board of Governors resolved to note the Health and Safety Annual Report 2022/23. **Noted**

*The Head of Estates and Property Strategy left the meeting at the end of this item.*

## **23/24.06 Principal's Report**

The Principal tabled an addendum to her paper and reported key aspects of her report, which included:

- (i) enrolments were up by over 400, which would be worth over £1.9m in additional income if they all stayed. However, experience suggested that the College would lose half of these numbers;
- (ii) the first round of open events had been held in respect of academic year 2024/25;
- (iii) exams results would be outlined in the following agenda item. However, there was a fall in the apprenticeships achievement rate from 66% in 2021/22 to 48% in 2022/23. A detailed review of the data showed that 75 apprentices would now appear in the 2023/24 ILR, including 12 who achieved in the week after the end date (31 July 2023). The reasons, which had previously been discussed, included delays to End Point Assessment (EPA) for some or having to resit EPA after a fail result on part or all of the EPA. 24 apprentices were subject to an external verifier visit booked for November; 20 apprentices were going through internal quality assurance processes; 10 had EPA booked in the next two weeks; 10 were plumbers who should achieve in the next eight weeks; six were currently considered at risk of achieving and five apprentices lost their job during COVID lockdown;
- (iv) GCSE results. The impact of grade boundaries moving back to pre-pandemic levels had greatly impacted the College, as it had done with other post-16 providers. However, the Maths achievement rates had improved by 4.2%-points while English had declined by 1%-point. The number undertaking resits in 2023/24 would double from 900 to 1800 in Maths with an almost as high number in English;
- (v) A level value-added had improved to a single year T score of grade 5 (ALPS), from a grade 6 in 2021/22. High grades at A level in summer 2023 were 28% in comparison to 31% in 2018/19 (the nearest but not direct comparator). A\* to C grades were 61% against 69% in 2018/19;
- (vi) vocational value-added, where the overall One Grade value added score for graded level 3 (non A level) qualifications was +0.3. All curriculum teams showed a positive value-added except Travel and Tourism;
- (vii) the College was hosting seven of the WorldSkills UK national competition finals in November: four in automotive in light vehicle, body and paint and an entry level light vehicle competition, plus three in engineering – CNC milling, CNC turning and the team challenge in engineering;

- (viii) it was proposed to amend the College's Mission to explicitly mention Tameside Adult and Community Education (TACE): *'Tameside College, Clarendon Sixth Form College and Tameside Adult and Community Education (TACE) will transform lives by offering first class education and training in order to improve employability and generate economic prosperity';*
- (ix) in 2024/25 work would start on the College Strategic Plan for the next five years. This would involve consulting staff, students and external stakeholders.

Governors were content with the report as presented, noting the previous extensive discussion held on the apprenticeship achievement rates held during the Governor Development Session on Tuesday, 26 September. They also noted the growing problem of GCSE resits in English and Maths and understood that the national policy itself was a significant part of the problem.

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

**Resolved:** The Board of Governors resolved to approve the proposed amendment to the College Mission as outlined above. **Approved**

#### **23/24.07 Closure of Quality Improvement Plan 2022/23 and Provisional Outcomes 2022/23**

The Deputy Principal Quality and People reported that the Quality Improvement Plan (QIP) was last presented to the Board in May 2023. Key points to note included:

- (i) Leadership and Management:
  - the provisional outturn for the apprenticeship achievement rate was 48%, a target of 68%. Improving the achievement rate was a key priority;
  - achievement of improvement targets for GCSE Maths and English continued to be challenging, not only for the College but across the sector. The College was working with a consultant on how the College could make improvements;
  - the new approach to capturing 16-18 sustained destinations had worked well and would be extended to include adults in 2023/24;
- (ii) Quality of Education:
  - progress had been secured in a number of the targeted courses;
  - further focus and improvement was required on the following courses: AAT, L3 Travel & Tourism, L3 Computing, A Level (Religious Studies), Vocational A Level (Criminology, Public Services) and Floristry;
  - improvements were made in the value-added for a number of courses. Some would remain a focus for improvement in 2023/24;

- improved focus on monitoring student progress and improved rigour in work scrutiny. This linked to walk-throughs and IMRs (appraisals) and curriculum evaluation for evaluation and action planning;
  - actions were to improve teaching CPD, including the 'Passport to Outstanding' sessions, team activity, INSET Days, T&L Mentor support, Teacher Conference, skills and employer focus and bespoke support;
- (iii) Behaviour and Attitudes:
- overall College attendance was on target. The impact of COVID and related issues was still evident. Benchmarking and networking indicated this was a national issue, including in schools;
  - attendance at GCSE English and Maths remained a challenge.

The Deputy Principal Quality and People also provided a summary of the provisional outturn for 2022/23:

- care was needed in regard to trend analysis and use of national comparators due to the impact of COVID;
- the overall College achievement rate was 86.7%, a 1.6%-point improvement since 2021/22 and 2.1%-points above national average (NA);
- at 85.5%, the 16-18 achievement rate had improved by 2.0%-points since 2021/22 and was 1.4%-points above NA;
- at 88.8%, the 19+ achievement rate had improved by 0.8%-points since 2021/22 and was 3.3%-points above NA;
- the main priorities for improving achievement rates included:
  - apprenticeships;
  - GCSE and Basic Skills Maths and English.

Issues considered by Governors included:

- (i) the extent to which GCSE English and Maths results would impact the overall achievement rate. It was noted that if students showed up for the exam, then they usually passed;
- (ii) the ongoing demographic upturn would come up against a limited capacity of providers and this would likely result in increased number of NEETS ('Not in Education, Employment or Training'). While the local competitor sixth form college had secured additional capacity funding, this was earmarked for students at level 3, while it was felt that growth was at levels 1 and 2.

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

## 23/24.08 Provisional Outturn 2022/23

The Executive Director Finance, Estates, MIS and IT reported the following points:

- (i) the Board approved a budget in 2022/23 with a surplus of £622k. This outturn was revised at the mid-year budget forecast, to a surplus of £639k. The provisional outturn for the year was £2.213m, a positive variance of £1.575m on the revised budget. The variance was due to a favourable variance in income (£455k), a favourable variance in pay costs (£782k), a £358 favourable variance in non-pay costs and a £21k adverse variance on depreciation cost. It was expected that the outturn figure would change by the time the Report and Financial Statements were presented;
- (ii) the overall financial health grade for the College was expected to remain outstanding for 2022/23;
- (iii) cash reserves remained strong at £11.8m, and a result of both the increased surplus and the timing of capital expenditure;
- (iv) the College had submitted an application for additional funding for increased material costs in relation to the Further Education Capital Transformation Fund (FECTF) funded project and an extra £303k had been secured.

Governors noted the significantly improved outturn. It was noted that external audit was now underway and no issues had been identified at the current time.

**Resolved:** The Board of Governors resolved to note the Provisional Outturn for 2022/23. **Noted**

## 23/24.09 Budget Reforecast

The Executive Director Finance, Estates, MIS and IT reported the following points:

- (i) in July the Board had approved a budget for 2023/24 and a plan for the three following years to 2026/27;
- (ii) in 2023/24, this was for an operating surplus of £138k;
- (iii) the government subsequently announced increased funding for use on cost-of-living uplifts for staff in further education. This amounted to an additional £1.361m for the College;
- (iv) reforecast outturns for the current and following three years were surpluses as follows: 2023/24 £496k (previously £138k), 2024/25 £222k (previously £105k), 2025/26 £293k (previously £51k), and 2026/27 and £52k (previously £104k);
- (v) overall, income was forecast to be £31.150m in 2023/24, £32.792m in 2024/25, £33.633m in 2025/26 and £33.831m in 2026/27;
- (vi) the College would remain financially 'outstanding' in each year through to 2026/27;
- (vii) the FE Commissioner's benchmark on staff pay as a percentage of income would rise from 69.3% to 72.8% during this four-year budget period – against a target of <65%;
- (viii) cash reserves remained strong and forecast cash balances showed a minimum of £4.4m in March 2025;
- (ix) assumptions in the budgeting process, including pay awards in future years;

- (x) aspects of the financial modelling for the proposed pay award, with assumptions for future pay awards.

Governors considered the following issues:

- (i) that it was key to look forward four years to 2026/27 rather than just focusing on the next year or two to ensure the proposed pay award was affordable in the long run;
- (ii) that meeting the FE Commissioner's target for its benchmark KPI on staff pay as a percentage of income would be problematic for colleges following the AoC recommended pay award and especially so for those experiencing growth;
- (iii) the introduction of a KPI to monitor the percentage of teaching staff at the top of the teaching pay scale.
- (iv) that the final decision with respect to approving the reforecast budget would be deferred until the Pay Review paper had been considered in full, as this had a major impact on the budget.

**Resolved:** The Board of Governors (following their review of the Pay Review paper and approval of the pay award) resolved to approve the reforecast budget for 2023/24.

**Approved**

## 23/24.10 Pay Review

The Deputy Principal Quality and People reported the following points:

- (i) that prior to the government's decision to provide additional funding, the Executive Team had previously been considering a pay award of 7%. The additional funding meant that a pay award for all staff of 10% could be offered, with a 7% pay award for the designated Senior Post Holders;
- (ii) the proposed pay award was expected to mean that the College would continue to pay the Real Living Wage;
- (iii) recruitment and retention posed a significant risk and it had proven challenging to secure teaching staff for the new academic year. The College was also losing its support staff to other colleges and other sectors;
- (iv) the UCU pay claim of 15.4% (comprising the January RPI figure of 13.4% plus 2%). The College was asked to enter into local negotiations but this had been declined. As a consequence, the UCU gave notice that it was in dispute with the College and balloted for industrial action. However, it could not get the necessary votes for this to be implemented;
- (v) the Association of Colleges (AoC) pay negotiations went ahead once the additional funding was made available and concluded with a recommendation for a 6.5% pay award, which matched the school teachers' pay award, where this was affordable. It was recognised that the additional funding was based on 16-18 numbers and course weightings that meant that while this benefited Tameside College, it did not benefit nearly as much some other colleges with a different provision;



- (vi) the College had paid above the AoC recommended rates for the previous two years (2022/23 and 2021/22);
- (vii) the RPI figure as at August 2023 was 9.1% and so the proposed pay award was above that. Furthermore, the average public sector pay award was 6.8% and private sector pay award was 8%;
- (viii) other enhancements to the proposed pay award included:
  - the removal of the lowest two points on the teachers' pay scale (LE04 and LE05). Those (admittedly few) teachers on point LE04 would receive a 21% pay award;
  - the removal of the LE12 pay cap. All teachers would be eligible to progress to points LE13 and LE14 on the pay scale. Previously these two points were reserved for the hard to recruit to areas, but it was acknowledged that all subject areas in teaching were now hard to recruit to. This meant teachers on LE12 would get 14% in the current pay award and at least 4% in next year's pay award;
  - an increase in the pay scale of progress tutors, which represented an average 15.4% pay award for these staff;
- (ix) a summary of the risks of the proposed pay award;
- (x) a comparison of College pay compared with that of Greater Manchester FE colleges.

Issues considered by Governors included:

- (i) the risks associated with such a substantial pay award. This included failure to meet future income targets. It was noted that the Executive Team felt it had a good grasp of student numbers, which notably included a demographic upturn through to 2027/28;
- (ii) that although sixth form colleges could afford to pay their staff more than FE colleges, for reasons of less expensive provision, the Executive Team had agreed that it would be unfair to pay the College's sixth form teaching staff more than its vocational teaching staff. The pay award would also help recruit and retain support staff;
- (iii) that all of the additional funding was being applied to staff pay, with some used to secure additional teaching staff due to the growth in student numbers;
- (iv) how soon the impact of the pay award could be seen on staffing. Governors noted that it was hoped the proposed pay award might help change the minds of some staff that had already given their notice;
- (v) that both the Executive Team and Governors recognised and valued the hard work and dedication of College staff and had brought forward the Pay Review paper to try and secure agreement in time for it to be paid to staff in January;
- (vi) a view from the Staff Governor that staff would likely be pleasantly surprised by the size of the pay award offered;
- (vii) the process going forward. It was noted that the Executive Team would meet with managers the following day and then communicate the proposed pay award directly with staff before meeting with the recognised trade unions (UCU and

Unison). An agreement would need to be reached with the trade unions for the pay award to be paid.

**Resolved:** The Board of Governors resolved to approve the Pay Review as outlined in the report.

**Approved**

## 23/24.11 External Governance Review

The Clerk to the Corporation reported the following points:

- (i) that there was a requirement for college corporations to have an external governance review every three years, with the first such review required to take place before the end of the 2023/24 academic year;
- (ii) working with the Chair, Vice Chair and Principal, the Clerk had undertaken a selection process that had resulted in the appointment of Fiona Chalk (governance4fe) for this review;
- (iii) the review would take place in the period January to April 2024, with a final presentation to Governors being timed for the Governor Development Session on Tuesday, 30 April;
- (iv) all Governors and members of the Executive Team would be involved in the review;
- (v) that External Governance Reviews were designed to be developmental and supportive.

**Resolved:** The Board of Governors resolved to note the External Governance Review report.

**Noted**

## 23/24.12 Update on Governor Engagement and Development Activities

The Clerk to the Corporation reported the following Governor engagement and development activities had been recorded since the date of the last Board meeting:

- (i) 26.09.23 – Governor Development Session on Equity, Diversity and Inclusion and Preparation for Ofsted Inspection. All Governors (most in person but others received link to recording of EDI session and notes for the Preparation for Ofsted Inspection session);
- (ii) 17.10.23 – Governor Learning Visit – Marketing, Admissions and School Liaison: Phill Brown, Malcolm Bruce, Jonathan Frankham, John Lyne and Arsana Subba.

## 23/24.13 Items for Noting

### (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) **Final Report on Governor Attendance 2022/23**

**Resolved:** The Board of Governors resolved to note the Final Report on Governor Attendance 2022/23 (84%).

**Noted**

**23/24.14** **Time and Date of Next Meeting – Tuesday 14 November 2023**

It was noted that this meeting would be held via Teams.

**Minutes formally approved by the Corporation:**

**Chair**

**Date**