

**Minutes of the Corporation Meeting Held on
Tuesday 6 December 2022**

Present: Damien Bourke, Simon Boyle, Phill Brown, Malcolm Bruce, Kirk Cornwall, Jonathan Frankham, Shayer Hussain, Karen James, Josh Lester, John Lyne (Chair), Jackie Moores, Elaine Price, Chris Rushton, Arsana Subba

Nils Elgar, Clerk to the Corporation

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

ACTION

22/23.29 Apologies for Absence

New Student Governors Josh Lester and Arsana Subba were welcomed to their first Board meeting. Brief introductions were made.

Resolved: The Board of Governors resolved to approve the appointment of Josh Lester and Arsana Subba as Student Governors for Tameside College and Clarendon Sixth Form College respectively for a term of office of up to two years.

Approved

Resolved: The Board of Governors resolved to accept the apologies of Rachael Frankland and Saariah Qureshi.

Accepted

22/23.30 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 13 (Confidential Minutes of the Board Meeting, 15 November 2022), Staff and Student Governors and College officers would withdraw from the meeting for the consideration of this item.

22/23.31 Minutes of the Meeting Held on 15 November 2022

On a point of accuracy, the Deputy Principal Quality and People recommended a change to minute 22/23.22 (Pay Review 2022/23).

Resolved: Subject to the proposed amendment being made, the Board of Governors resolved to approve the minutes (including the Confidential Minutes – Part A) of the meeting held on 15 November 2022.

Approved

22/23.32 Matters Arising

On minute 22/23.22 (Pay Review 2022/23), the Deputy Principal Quality and People reported that the proposed pay award had been shared with staff but was still being discussed with the trade unions and so had not been paid.

Noted

22/23.33 Minutes of Committee Meetings:

(i) Audit Committee – 22 November 2022

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

Noted

Resolved: The Board of Governors resolved to approve a two-year extension to the Internal Audit Service contract for ICCA-ETS.

Approved

22/23.34 Safeguarding Annual Report 2020/21 and Policy

The Assistant Principal Student Experience raised the following points:

- (i) key strengths and effectiveness of safeguarding:
- students feel safe and know where to access support. In the December 2021 Teaching and Learning Survey, 96% of students said they felt safe. This was consistent with last year and +4%-points against the national average. 98% of students also reported that they knew how to keep safe online;
 - the achievement rate for safeguarded learners compared to overall learners narrowed in comparing the data against 2018/19 (+5%-points in 2021/22). While the gap in retention between safeguarded and overall learners needed to close, it did not equate to safeguarding practice being ineffective;
 - safeguarding policies and implementation were reactive in relation to statutory guidance and themes such as Peer-on-Peer Sexual Abuse. 435 students were provided with regular support in 2021/22;
 - partnership working was strengthened, e.g. Encompass, PIED, lead contact at MASH;
 - access to staff training via e.learning platforms had improved significantly;
 - extensive development and project work had taken place regarding mental health and wellbeing, including increasing the number of staff trained in mental health first aid;
 - a series of knife crime prevention events were held with the support of Greater Manchester Police. The College also held a number of events which focussed on raising awareness and the prevention of knife crime;
- (ii) recent developments:
- a new Progress and Welfare Team Leader had been appointed. This allowed for internal progression not only

for that team member but for their replacement of LAC Achievement Co-ordinator;

- CPOMS Safeguarding software was introduced, which was a secure safeguarding specific tool that would greatly improve the quality and efficiency of recording and reporting safeguarding data;
 - there was a continued focus on wellbeing provided by the enrichment team, including men’s mental health and social prescribing;
 - termly one-to-one supervision for the Safeguarding Team was provided by an experienced practitioner;
 - there had been 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. A whole College approach (SEND Strategy) was being developed to supporting students with these and other needs;
- (iii) policy update:
- the Safeguarding Policy had been revised to reflect the Department for Education (DfE) Statutory Guidance: Keeping Children Safe in Education 2022;
 - 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 views of the Student Governors. Both indicated that they felt safe, with security at the entrance making sure no unauthorised individuals could access College buildings;
- (ii) the view of a Governor that had attended the Governor Learning Visit to Student Hubs at both Beaufort Road and T1 / Clarendon Sixth Form Centre who felt that the support provided to students at both sites was impressive. Staff appeared very positive with effective working relationships with students despite doing a stressful job;
- (iii) the extent to which the College monitored progress of LAC (looked after children). It was noted that achievement was monitored at all levels against non-LAC learners;
- (iv) that the enrichment provided was wide-ranging, going beyond just sports to include activities such as art and craft, which could help with student mental health issues.

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.

22/23.35 **ONS Reclassification**

The Executive Director Finance and Estates outlined the following points:

- (i) changes to the Education Act gave increased powers to the Secretary of State for Education over colleges;
- (ii) the Office for National Statistics (ONS) had reviewed the situation and reclassified colleges into the 'central government sector';
- (iii) implications:
 - colleges would remain independent (self-governing charities regulated by the Secretary of State for Education);
 - colleges were now subject to the framework for financial management set out in Managing Public Money (MPM);
 - no clawback of reserves;
 - new restrictions on borrowing;
 - the proceeds from assets disposals would now need to be ringfenced for reinvestment in capital assets;
 - additional controls in approving salaries over £150k;
 - limits on severance packages above a certain amount;
 - Wylie and Bisset LLP (external auditor) had considered the ONS reclassification in terms of a post balance sheet event, but concluded that nothing needed to be added to the Members' Report and Financial Statements. There was no impact on 'going concern' considerations;
 - some benefits might accrue from the reclassification, for example the government banking service and insurance.

Issues considered by Governors included:

- (i) that the biggest immediate impact for colleges was on borrowing, but this did not impact on Tameside College (which had no current or planned borrowing);
- (ii) that there being no claim on reserves by The Treasury represented an excellent outcome for colleges and was by no means certain at the start of discussions;
- (iii) a (funding) agreement variation would be issued to colleges for signing the following week;
- (iv) a colleges funding handbook would be introduced in the next financial year for implementation by 2024/25.

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

Noted

22/23.36 Members' Report and Financial Statements

(i) Annual Report to the Members of the Corporation on the External Audit for the Year Ended 31 July 2022 (incl. Letters of Representation)

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

- (i) the College had reported a deficit of £1.705m. After FRS102 (accounting for pension costs), the College had made an operating surplus of £709k;
- (ii) audit opinion – Wylie & Bisset LLP, the External Audit and Reporting Accountant, had issued an unmodified audit opinion;
- (iii) regularity audit opinion – Wylie & Bisset LLP had no issues to report in relation to their regularity audit opinion;
- (iv) going concern – Wylie & Bisset LLP were satisfied that the Board of Governors' assessment of the going concern basis of preparation was appropriate;
- (v) governance arrangement – Wylie & Bisset LLP were satisfied that the College operated appropriate governance procedures and that management had adequate arrangements in place covering standards of conduct;
- (vi) internal controls – Wylie & Bisset LLP had not identified any areas where the operation of internal financial controls could be improved.

Governors were content with the report as presented.

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 2021/22

Governors noted that the Audit Committee Annual Report 2021/22 had previously been scrutinised by the Audit Committee and recommended to the Board of Governors for approval. This Report included two new appendices that reviewed the performance of both the Internal Audit Service and the External Auditor and Reporting Accountant over the past year. The overall 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 2022"*.

Resolved: The Board of Governors resolved to approve the Audit Committee Annual Report 2021/22.

Approved

(iii) Members' Report and Financial Statements

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

- (i) the College achieved an overall deficit of £1.705m in 2021/22. After accounting for actuarial gain of £21.194m in respect of the pension schemes, the College reported total comprehensive income of £19,489.
- (ii) if the pension entries were removed from the accounts the College achieved an underlying operating surplus of £709k;
- (iii) the Audit Committee had recommended the Members' Report and Financial Statements to the Board of Governors for approval.

Governors were content with report as presented.

Resolved: The Board of Governors resolved to approve the Members' Report and Financial Statements for the Year Ended 31 July 2022.

Approved

22/23.37 October Finance Report

The Executive Director Finance and Estates reported the following:

- (i) the Corporation had set a budget in 2022/23 for an operating surplus of £622k, before FRS102;
- (ii) as at 31 October 2022 there was an overall favourable variance of £184k, which comprised an adverse variance in income of £127k, a £330k favourable variance in pay costs (including agency staff) and £30k adverse variance in non-pay costs;
- (iii) risks to budget included under recruitment on apprenticeship starts and on community learning income in Tameside Adult and Community Education (TACE), both of which were being monitored;
- (iv) the overall financial health grade for the College was expected to remain outstanding for 2022/23;
- (v) cash reserves during the period were higher than expected due to temporary timing variance of capital investments;
- (vi) the College was starting to see increased cost pressures in curriculum areas (such as Hair and Beauty, Construction, and Catering), as well as in Estates cost lines. However, the College did have an 'inflation pot' that had not been used yet;
- (vii) cost pressures were also expected to impact the College's Further Education Capital Transformation Fund (FECTF) capital project and there was a desire to go to tender as soon as possible to firm up prices. On this project, the refurbishment plans for the Plumbing and Gas building (for Animal Care) had been submitted to Tameside Metropolitan Borough Council (TMBC). The plans for the new Motor

- Vehicle building would be submitted to TMBC the following week;
- (viii) submissions for the next wave of T-level capital funding were due by 3 February 2023. The College was preparing a submission on the basis of NIL match funding for the Construction and Animal Management pathways. Further details would be provided at a later date. Board support was requested for this submission;
 - (ix) with rising interest rates, there was an opportunity to improve returns from the College's reserves;

Governors considered the nature of higher than expected operating costs at T1. It was noted that these related to electricity and gas costs which were passed on from TMBC. The energy contract for the Beaufort Road and Clarendon Sixth Form campuses were fixed until 2024.

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

Resolved: The Board of Governors resolved to support, in principle, a bid for the next wave of T-Level capital funding, details of which would be confirmed in due course. **Approved**

22/23.38 Finance Policies:

(i) Financial Regulations

The Executive Director Finance and Estates reported that he had reviewed the Financial Regulations and had proposed a number of changes:

- (i) changes to order authority, notably that orders over £150k would require the approval of the Corporation Chair (in line with Board approved budgets and projects);
- (ii) changes to procurement thresholds, notably so that they aligned with order authority values.

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

The Executive Director Finance and Estates reported the following points:

- (i) the College's performance against key Treasury Management Policy targets in 2021/22. Of note was the very low interest rates that meant despite cash balances of between £6.3m and £10.4m, this only brought in a total of £8k in interest;
- (ii) key targets for 2022/23. These included:
 - cash days in hand in excess of 25 days;

- trade debtors less than £125k;
- creditor payments within 30 days at 95%;
- cashflow reported with each set of Corporation Management accounts;
- deposits to higher interest rate accounts reviewed monthly to maximise interest, subject to:
 - maximum of £8m with one institution. Notably, this represented an increase from £6m in 2021/22;
 - interest rates for treasury deposits are regularly monitored, along with cash flow requirements.

Governors considered the risk of the proposed increase to £8m as the maximum amount that could be deposited in one institution. It was noted that the Treasury Management Policy ameliorated this risk by requiring that only banks with a Standard & Poor’s ‘A-1’ rating could be used.

Resolved: The Board of Governors resolved to note the progress made in respect of the Treasury Management targets for 2021/22. **Noted**

Resolved: The Board of Governors resolved to approve the Treasury Management targets for 2022/23. **Approved**

22/23.39 **Update on Governor Engagement and Development Activities**

The Clerk to the Corporation reported the following points:

- (i) 21.11.22 – AoC North Governor Induction – Kirk Cornwall;
- (ii) 06.12.22 – Governor Learning Visit to Student Hubs – John Lyne and Kirk Cornwall. The value of attending Governor Learning Visits as a means to triangulate information presented by management at Board meetings was emphasised.

Kirk Cornwall reported that he had also attended an online webinar titled “Tackling Bullies in Educational Settings for Governors”.

Resolved: The Board of Governors resolved to note the verbal update. **Noted**

22/23.40 **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**

The Clerk to the Corporation reported that earlier that day the Chair of Governors and Principal had signed a Deed of Guarantee between the Secretary of State of Education and Tameside College in respect of Institute of Technology capital funding.

Resolved: The Board of Governors resolved to note the use of the Seal of the Corporation that had been taken since the date of the last meeting. **Noted**

(iii) Interim Report on Governor Attendance 2022/23

Resolved: The Board of Governors resolved to note the Interim Report on Governor Attendance 2022/23 (92%). **Noted**

Staff and 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 work and wished everyone a very Merry Christmas.

22/23.41 Confidential Minutes of the Meeting held on:

(i) 15 November 2022

Resolved: The Board of Governors resolved to approve the confidential minutes (Part B) of the meeting held on 15 November 2022. **Approved**

22/23.42 Time and Date of Next Meeting – Tuesday 14 February 2023

The Chair reported that the date of the next meeting was Tuesday 14 February 2023 (via Teams).

The Clerk to the Corporation mentioned that prior to the next meeting there would be a Governor Learning Visit to Creative (Clarendon Sixth Form Centre), followed by a Governors' dinner in the College's Restaurant (T1) – these were taking place on Tuesday, 17 January.

Minutes formally approved by the Corporation:

Chair

Date